(73)

1906-07

Police

Previous references.
Pol 1-05. 80, 98. 220, 247. 324
327-8.

1906-07
Police)

Pol File No. 1-06.

Serial Nos. 97. 160. 1
191. 198-9. 206. 24
259. 26[illegible]. 403. 43
440 & 441

Later references.
Police 1907 Nos 82, 97, 2
15 Jan 07

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 97. 160. 188. 191. 198-9. 206. 247-8. 25
403. 430. 440 & 441.

Part B. for June 1907.

SUBJECT.

Petitions

Table of contents

7	Dom - Sivarudrappa, Bodappa, Haraguddi Village. Anekal taluk. 9 2279
J. R. S. 58	Pray that the order of the Dy Commr of Bangalore, prohibiting Contrary to, ma the passing of the ~~prohibition~~ procession 18 pharia people through western gate Haraguddi Village, may be set aside that he, may be allowed to perform

From a devotee

160 To the District magistrate Bangalore No 9987
dt 23-10-1906

Forwards the above for report and calls for the records.

188 From the Distt magistrate of Bangalore
No 422 dt 17/11/06.

Forwards the report and the records called for in the above

191 To Mr Nagappa. No 91468 dt 1/12/06.

Informs him that the Secn'd Councillor will be glad to hear him on ~~the 2nd Sept~~ Thursday next.

198 To Mr. S Narasimha Iyengar No 91588 dt 8/12/06

Informs him that the 2nd Councillor will be glad to hear him in the matter on 17-12-06.

199 From Mr. S Narasimha Iyengar dt 12/12/06.

Prays for copies of certain documents

206. To Mr S Narasimha Iyengar No 91652 dt 15/12/06.

Grants copies of the documents applied for except the Cost & the Annual report.

247 To the Dist magte No 92110 dt 21/1/1907

Enquires under what authority

G.R.S. 11] 1906.

GENERAL AND REVENUE SECRETARIAT

(Police)

NOTES.

File. No. 1706

FILE HEADING.

Petitions

From

Sivadoddrappa, Bodappa, Haragaddhey village, Anekal

No. Dated 22.9.06 Received 22.9.06

Diary No. J 761 | Enclos. 6 | Spare Copies. – | Serial No. 97

BRIEF ABSTRACT OF LETTER.

Pray that the order of the Deputy Commr. of Bangalore, prohibiting, contrary to mamool, the passing of the procession of 18 pharia people thro the western gate of the Haragaddey village, may be set aside & that they may be allowed to perform Gramadevate Puja.

NOTES AND ORDERS.

26/10

Subd. for orders with a draft forwarding the petition to the Dt Magte. of Bangalore for report.

BS. 19.10.06 SP 19/10/06.

V Sreenivasa 20/10

NOTES—First sheet.

PB—30,000—20-3-06.

Serial No. 160

To

The Dt. Magte. Bangalore no. J 987 D/23.10.06

forwards the above for report & calls for the records.

188 From

The Dt. Magte. of Bangalore no. 422 D/17.11.06

forwards the report and the records called for in the above.

3 There are two factions in the Haragadday village of the Anekal Taluk, namely, 9 phana people and 18 phana people. The two parties seem to have come to an agreement in 1859 as to the limits within which each party may conduct its own processions &c. This agreement gave the eastern gate of the village to the 9 phana people and the western gate to the 18 phana community. It does not seem, however, to preclude any person of either party from passing through any of the gates of the village at his pleasure. Till the year Dhata (1876-77) the people of the village used to celebrate the jatra jointly. Since then there seems to have been only two

Serial No.

Jaffna, viz, one in 1892 and the other in 1904. On both these occasions the 9 phana people kept aloof. The 18 phana people contend that they are entitled to lie a toranam to the Western gate and that the people belonging to the other party should not pass under this toranam until the puja is completed i.e. for about ½ an hour. In other words these people claim a right to block up the western gate for about ½ an hour so far as the people of the other party are concerned. The contention of the 9 phana people is that the 18 phana people have no right ~~to block the passage~~ to prevent their egress and ingress through the gate at the time of the puja. It may also be observed that on the two occasions mentioned above no toranam was tied to the gate. The 9 phana community has no objection to their opponents performing

GPB—50,000—23 10-05

G.R.S. 12j
General and Revenue Secretariat.

Police File No. of 1906-07

Serial No.

The puja provided that ~~they~~ they are not prohibited from entering the western gate during the puja. It was decided by the Dt. Magte. of Bangalore so long ago as September 1893 that the ~~Brahmans~~ petitioners may be allowed to conduct their puja according to manual provided they did not object to the people of the 9 phana party passing through the gate in question. The Dt. Magte. in his order of August 1906 declines to reopen the question and the present petition is an appeal against this recent order. Subd. for orders.

BS. 26-11-06 27/11/06

4 Mr. Dt. Magte's report fully explains the case. Mr. Nagappa ~~has requested to~~ (for the appellants) has requested to be heard in person.

To 2nd Court

be 28/11

Note—Contn. sheet

MGCPB—50,000— 24-7-05

G.R.S. 12J
General and Revenue Secretariat.

Police File No. of 1906-07

Serial No. 5

I shall hear Mr Nagappa on Thursday next - at the public offices

KRM 29/11/06

6 Inform him accd

29/11/06

7 Subo. with a draft as directed.

29/11

SG. 30-11-06 SPP 30/11/06. 8 Dft passed

30/11/06

191 draft issued to Mr. Nagappa no. J 1448 dt 1-12-06.

9

2nd Counr heard Mr. Nagappa to-day and directed that the other party also to be heard - Posted to 17th inst - Issue notice to Mr. S. Narasimhiengar

6/12/06

10 Subo. with a draft to Mr. S. Narasimhiengar.

BG. 7-12-06 SPP 7/12/06. 11 Issued 7/12/06

198 draft issued to Mr. S. Narasimhiengar no. J 1588 dt 8-12-06

199 Petition from Mr. S. Narasimhiengar dt 12-12-06.

Note—Contn. sheet

GPB—50,000—23-10-05

6

Police File No. of 1906-07

Serial No.

Prayp for copies of certain documents

12/ Copies of the following documents are applied for:-

7/ap 0. (1) The appeal petition of the 18 Dhana people.

(2) ~~The~~ Two latest petitions of the same people to the Dt. Magte of Bangalore

P2g

23/ (3) The order of the Dt. Magte.

(4) Report of the Amildar of Anekal

The Councillor has ordered that a copy of the last document cannot be granted. Subd for orders. The copying fees amount to 3g 3.12.0. Rs2-8-0. May the other copies be granted?

SW 13/12/06. 13 Grant copies of documents (1), (2) & (3)

Don't grant a copy of document-(4) viz Report of the Amildar of Anekal

WS. 13/12/06

Rec 13/12

13/12/06

GPB—50,000—23-10-05

G.R.S. 12J
General and Revenue Secretariat.

Police File No. 190 6-07

7

Serial No.

14 Subd. with an endorsement copies ordered to be granted
3.9.
15.12.6 1st Part 15/12/06

To
Mr. S. Narasimhiengar Advocate
Bangalore no. J 1652 D/15.12.6
Grants copies of the documents applied for except the copy of the Amildar's Report

NOTE—Contn. sheet

MGCPB—50,000—24 7-05

G.R.S. 12]

General and Revenue Secretariat.

8

Police File No. of 190 6-07

Serial No.

Subd

May the draft docket approved by the 2nd Councillor issue.

SN 17/12/07

17 Issued 17/1/08

17 To The Dt. Magte. no. I 2110 Dt/ 21.1.07

Enquires under what authority the Dt. Magte's order of the 18th instant 06 was passed.

248 From Mr. S. Narasimhiengar Dt/ 18.1.07 Advocate.

Requests to be furnished with a copy of the order passed in the case.

18 No. final orders have as yet been passed. Subd with a draft endorsement.

SN. 18.1.07

28/1/07 19 Issued

28/1/07

259 To Mr. S. Narasimhiengar Advocate no. I 2274 Dt/ 30.1.07

Informs him that no final orders have as yet been passed in the matter.

60 From The Dt. Magte. Bangalore no. S 6140 Dt/ 6.2.07

NOTE—Contn. sheet

G.R.S. 12]
General and Revenue
retariat.

9

Police File No. of 190 6-07

Serial No. 260

States that his order was passed in accordance with G.O. no 109-D.H dt 27.2.1893 & that Section 144 of the Criminal Procedure Code bears on the question.

2D Subd. The information was called for by the 2nd Council

B.G. 13.2.07

Subd to 2nd Council

W. 13/2/07

21

I have put up a draft of my orders in the case

W.H. 19/2/07

Dewan 20.2.07

W.

This is in the form ... Revenue Appeals ... Collector ... Dist

GPB—50,000—23 10-05

G.R.S. 12]
General and Revenue
Secretariat.

Police File No. of 190 6-07

10

Serial
No.

403 Petition from Siddesanna & Harogadde
Boyo that the order &
the Dt. Magte. of Bangalore regarding
the procession & Gramadevate &
Haraspadey may be confirmed

2nd Subd. The file relating
to the subject was subd to
Dwan on 20-2-07. ~~and is still pend-~~
~~ing with him~~. May this be
subd. in continuation?
B.G.
9-5-07 SW
9/5/07.

23 Submitted
10/5

3868
23.2.07

~~The draft order~~
24 I agree with the 2nd
In the order thereon 'D/Comm
may be used instead of DT
Magte.

29/5/1907

P.T.O.

NOTE—Contn sheet

G.P.B—10,000—18-1-07

G.R.S. 12]

General and Revenue Secretariat.

File No. of 1906-07

erial No.

25 Please ~~Comm~~ Draft (as modified above) into the usual order form, & after 2 days appl to be come up

26 Draft order submitted to the 2nd Comm

27 Approved

28 Issue

Perhaps draft is withdrawn.

30 The Dy. Comr. Bangalore & the SP of Police no. J3623-24 dt 31.5.07

Sets aside the order of the Dy. Comr.

29 Subd. with ~~draft endorsement~~ two draft endorsements, one to each party.

~~to be taken after the happenings noted in the Karnam's Rpt.~~

30 Passed

40 To Sivanarappa & others no. J3686 dt 8.6.07

Intimates that the order appealed

NOTE—Contn. sheet

MGCPB—50,000—24-7-05

G.R.S. 12J
General and Revenue Secretariat.

Police File No. of 190 6-07

Serial No.	
	against in act avial.
441	To Sivaramma no. J3687 dt 8.6.07
	Same as above.

GPB—50,000—23-10-05

K.S. Chandrasekhara Iyer Esquire, B.A., B.L., J 761

Secretary, General and Revenue Department.

to the Government of H.H. the Maharaja of Mysore.

File no. 1706-07
St no. 97

(Police Dept.)

Petitioners. Sivarudrappa, Bodappa, on behalf of the 18 Phana people residing at Haragaddhey Village, Anekal Taluk, Bangalore District.

In Re the conduct of Mari Jatra procession in the said village.

The abovenamed petitioners pray for the following reasons, to appeal to the Government against the order dated 18-8-06, of the Deputy Commissioner of Bangalore indirectly prohibiting, contrary to Mamool and to the previous orders on the subject, the passing of the procession of 18 Phana people through the Western gate, and restricting their right to tie Thoranum to the village gate and to perform the worship of Grama Davate, by allowing Madigas and other low class people to pass through their place of worship.

Presented by Mr Nanjappa, Bar-at-Law. He requests that he may be heard before the matter is disposed of. 22.9.06

The facts are briefly these.

The village of Haragaddhey has a total population of about 440. Sivachars, Vakkaligars and others belonging to 18 Phana, number about 400 people, and the rest 40 are Nagarathas, Madigas belonging to 9 Phana.

In the year 1853, the Nagarathas, the 9 Phana people, attempted in vain to parade with their insignia in the -- streets occupied by the 18 Phana people, to which the latter stoutly opposed.

An agreement was made in 1859, between the leaders of

18 Phana people on one part, and the leaders of 9 Phana people on the other part. Whereby it was agreed that all processions etc., of 9 Phana people should pass in Southern Road and Eastern gate, of the village which is called 9 Phana Sarahad or Nagartharpet. While the Northern street and Western gate of the village was to be used for processions etc., of the 18 Phana people, which is called Desadapet Sarahad.

It was further agreed that each Phana people should not parade in the streets of the other with their insignia. (Vide Order No. 11 dated 11th May 1853, and Petition of 9 Phana people dated 11th April 1859 and order thereon No. 13, dated 16th April 1859. True copies of which are annexed hereunto.)

That this arrangement was acted upon by both the parties, is evident from the admission contained at para 2 of the petition of 9 Phana people, addressed to the Deputy Commissioner of Bangalore on the 28th May 1892.

In the year 1892, the Amildar of Anekal granted a license to 18 Phana people to perform the Mari feast or Grama Davate, according to existing Mamool.

The 9 Phana people objected to the grant of the license without obtaining their previous consent. (Vide para 4 of their petition dated 28th May 1892, above referred to.)

The Deputy Commissioner late Mr. Shujat Alli called for a report upon the subject from the Amildar of Anekal.

The then Amildar, late Mr. Honnappa Naidu held an exhaustive enquiry and sent in a report giving his opinion that there was an existing Mamool for 18 Phana people to perform the Mari feast or Grama Davate by tying Thoranum to the Western gate and worshipping the deity called Mari, underneath the gate, while the Arathi ( ) pass in procession through the gate.

(Vide report No. 890 dated 27-5-1892.)

After the receipt of the report, the Deputy Commission-er

of Bangalore in Miscellaneous petition No 13 of 1892, ordered the license to be issued to the 18 Phana people to perform the Mari feast or Grama Davate according to Mamool.

The 18 Phana people thereupon performed the said Jatra several years according to Mamool or long usage.

This year Mr. D. Devaraj Urs. granted license to 18 Phana people to perform the said Jatra on 18, 19, & 20th June 1906 according to Mamool, but on the misrepresentations of the 9 Phana people, he suspended the said license on the day while they were conducting the ceremony.

Mr. Devaraj Urs. asked for a report from the present Amildar of Anekal.

The Amildar held an enquiry and examined several witnesses and reported favourably as to the existing Mamool, to perform the Jatra, Grama Davate.

(Vide Report No 61 dated 5th August 1906.)

Mr. H.H. Sparkes, the Deputy Commissioner, without hearing the parties or their advocates, and disregarding the opinion of the Amildar, passed an order dated 18-8-06, allowing the 9 Phana people consisting among others, Madigas and other low class people, to freely pass through the -- place of worship of Grama Davate.

Under these circumstances, the petitioners beg to appeal against the said order for the following grounds.

1. Because Mr. H.H. Sparkes, Deputy Commissioner, misunderstood and misappreciated the existing immemorial Mamool or long usage of worshipping Grama Davate near the village gate situated within Dasadapet Streets of 18 Phana people.

2. Because the Deputy Commissioner has disregarded the sound principles laid down in Government Proceedings dated 27th February 1893, No. 109 D.H.O viz.

(a) " Where an individual's or a particular class' right to do a thing is proved, it is always the duty of the -- Police and Magistracy to permit the due exercise of that right and, where necessary, to protect and safeguard every

person engaged in exercising it.

The petitioners have amply proved both by documentary and oral evidence their right to perform Grama Davata by tying Thoranum to the Western gate which is situated in Dasadapet and worship the Grama Davate underneath the gate, when the procession of Arathes ( ) pass through it. The time thus taken generally is about an ~~he~~ hour after sunset on the first day of the Jatra, and the 9 Phana people have separate passage and can freely pass through the Eastern gate of the village and also through several foot paths.

3. Because the objections of the 9 Phana people, not to tie Thoranum to the Western gate, and to allow them to pass through the place of worship, are frivolous and have been urged to gratify its ill-feeling towards 18 Phana people and to create disturbance during the time of worship.

There are Eastern and Western gates to the village. The agreement of 1859, expressly allows, 9 Phana people to use Eastern gate,and 18 Phana people the Western gate, during the time of processions. The Dasadapet and Nagaratharpet have also been defined and both the parties have acted upon the said agreement from 1853 up to the present moment.

4 Because the order allowing the free passage to Madigas and others to the place of worship by high class Hindus, is highly reprehensible to their feelings and is against the tenets of their religion

5. Because the said order has the effect of preventing the performance of Grama Davate altogether, in as much as it is sacrilegious to allow Madigas and other low class to the place of worship.

The petitioners, therefore, pray

(a) that the 18 Phana people may be allowed to perform Grama Davate according to Mamool or long usage by tying Thoranum to the Western gate of their village and worship

underneath it the Grama Davate during the procession of Arathes ( )

(b) The 9 Phana consisting among others, Madigas, may be restricted to pass through the place of worship whilst the Pooja is performed and thus, cause disturbance to the lawful exercise of the right of worship of the 18 Phana people and

(c) the Local Police and Magistracy may be asked to protect and safeguard the due exercise of the right of worship by the petitioners.

The petitioners also beg that they may be heard, if necessary, before passing orders on this, their Memorandum of appeal.

Bangalore.
22nd September 1906.

B. Nagappa
Barrister-at-Law &
Counsel for Petitioners.

N. B. All true printed Copies of all orders and petitions referred to above are herewith annexed for reference.

In the Court of the Hon'ble the Commissioners for H.E. the Maharaja of Mysore

Appeal No. of 1906-07

.....Plaintiff.

Versus

Petitioner Sivasundrappa, Boraffe

.....Defendant.

Know all Men by these presents that I~~we~~ the Petitioner

do hereby authorize and appoint B. NAGAPPA, ESQ., BARRISTER-AT-LAW, Gentleman an Advocate to be ~~my~~/our true and lawful Attorney to appear in the above named Court and represent ~~me~~/us as ~~Plaintiff~~/Defts—in the above named ~~Case~~/Petition and file all petitions, exhibits or other documents whatsoever in connection therewith, and also to apply for and receive from the said Court all such documents or copies of documents as he may deem necessary, and to apply for and issue all summonses, commissions or other writs or processes as may be needed or he may deem requisite, and to apply for and issue attachment and execution under any decree or other order that may be made in the said ~~Case~~/Petition and to prosecute to defend any proceedings that may arise thereout, and to apply for and receive payment of all or any sums of money that may be decreed or awarded either as principal money, for costs, or otherwise, and to appear in and before the Judge or Judges or presiding officer of the said Court and to plead on ~~my~~/our behalf in any matter touching or concerning the said matter, suit or applications, or any proceeding in connection therewith, from time to time to set and appoint a substitute or substitutes, and with power to revoke such appointment or appointments, and generally to appear, plead and act in all respects whether herein specified or not as may to ~~my~~/our said Attorney or his substitutes seem proper or expedient. And ~~I~~/We hereby ratify and confirm all and singular that ~~my~~/our said Attorney or his substitute or substitutes shall lawfully do or procure to be done in and respecting the premises acknowledging the same to be done as fully and effectually as if ~~I~~/We were personally present.

In Witness whereof ~~I~~/We have hereunto set ~~my~~/our hand this 22nd day of September in the year 1906

"Accepted"

Advocate

Accepted & Signed before me by the executant who is known to me.

Advocate.

FOUND AND CO., BANGALORE.

ಗೆ ನಂ. ೧೯.

ಕಾಯಿದೆಯಪ್ರಕಾರ ನಕಲು

ಆನೆಕಲ್ಲು ತಾಲ್ಲೂಕ್ ಆಫೀಸಿನ ಕೋರ್ಟಿನಿಂದ

ಆರಗೆದ್ದೆಹೊಲದ ಶೇಕದಾರ್ ಚೆನಪ್ಪನವರಿಗೆ—ಆರಗದ್ದೆ ಕಸಬಾ ಆರಗೆದ್ದೆಗ್ರಾಮದಲ್ಲಿರುವ ನಗೆತರ ಚನ್ನಪ್ಪನವಗೈರೆಯು ತಮ್ಮನ್ನು ಭಿಟ್ಟು ರೈತರು ಮಾತ್ರ ಗ್ರಾಮಜಾತ್ರೆಯನ್ನು ಪ್ರತ್ಯೇಕವಾಗಿ ಮಾಡುವ ಇಧಾರೆ ಹಾಗೆಇಲ್ಲದೆ ಮಾನೂಲ್ ಪ್ರಕಾರ ಯೆಲ್ಲರು ವಿಕಿಭವಿನಿ ಮಾಡಿಕೊಳ್ಳುವಂತೆ ಅಪ್ಪಣೆಆಗಬೇಕೆಂದು ಅರ್ಜಿಕೊಟ್ಟದಕ್ಕೆ ರೈತರನ್ನು ಕೇಳಲಾಗಿ ಬಟಾಯಿಗೆ ಕಬ್ಬುಹಾಕಬೇಕೆಂದು ಸದರಿ ಚೆನ್ನಪ್ಪಗೆ ತಾವುಹೇಳಲಾಗಿ ಯಿನ್ನು ಕೆಲವುಜನರಕಡೆಯನ್ನು ಯಿಂಗಡಿಸಿ ಕೊಂಡು ಯಿರುವ ಕಾರಣ ತಾವುಪ್ರತ್ಯೇಕವಾಗಿಯೆ ಜಾತ್ರೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇವೆಂತಕೈಪಿತ್ ಬರಕಿದ್ದರಿಂದಾಯಿಬ್ಯಸದಾಯಿ ತರನ್ನುನೇಮಿಸಲಾಗಿ ನಾಳಿವರವೊಬ್ಬರುಆಚೆ ೪ದಿವಸದ ವೆಲೆ ಮತ್ತೊಂದ ಗಂಪಿನವರನ್ನು ಜಾತ್ರೆ ಮಾಡಿ ಕೊಳ್ಳಬಹುದೆಂದು ಮಹಜರ್ ಬರದು ಯಿರುವ ಸಂಗತಿಯಲ್ಲಿ ನನಿಗೆ ರಾಜಿಯಿಲ್ಲವೆಂದು ಪಿರಿಯಾದಿ ಚನ್ನಪ್ಪ ಹೇಳುವಸಂಗತಿ ದಿವಿಜ್ ಹುಜೂರಿಗೆಜಾಹಿರ್ ಮಾಡಿರುವಲ್ಲಿ ಪಂಚಾಯಿತರು ನ್ಯಾಯವಾಗಿ ಮಹಜರ್ ಬರದು ಕೊಟ್ಟು ಯಿದ್ದ ಪಕ್ಷದಲ್ಲಿ ಸದರಿ ಮಹಜರ್ ನಂತೆಯೆ ವುಭಯತ್ರರು ನಡೆದು ಕೊಳ್ಳಬೇಕೆಂತಪಿರಿಯಾದಿಚನ್ನಪ್ಪಗೆ ಚನ್ನಾಗಿ ಕಾಯಿಲ್‌ಮಾಡಿ ಆಪ)ಕಾರ ಜಾತ್ರೆಮಾಡಿಕೊಳ್ಳುತಂತೆ ವುಭಯತ್ರರಿಗು ತಾಕೀತು ಮಾಡಬೇಕಾದ್ದಲ್ಲದೆ ಅದರಂತೆ ನಡಿಸೋಣದಕಲ್ಲಿ ಕಜಾವಗ್ಯೆರೆ ನಡಿಸುವದಿಲ್ಲವೆಂದು ವುಭಯ ಪಣಸ್ತರ ವೊಕ್ಕ ಸಮಯವರ ಕಡೆಯಿಂದಾ ಕಾಯಿದೆ ಪ್ರಕಾರ ಮುಚ್ಚಳಿಕೆ ತೆಗೆದು ಕೊಳತಕ್ಕದ್ದುಯಿದೆಯಂಬದಾಗಿಪಾಹೇ ಮು॥ ತಾರಿಖು ೨೦ ನೆ ಮರ್ಬ್ಬಂದಿವಾನಿ ೫-೨೦ನೆ ನಂಬರ್ ಹುಕುಂ ಸಾವೆರಾದ ಬವೊಜೀಬು ಬರಕಿದ್ದಾಯಿತು ಯೀಹುಕುಂನಲ್ಲಿ ನಮೂದಿರುವ ವಗ್ಯೆರೆ ರೈತರಿಗು ಸಹಾ ಚನ್ನಾಗಿ ತಿಳಿಸಿ ಅವರಂತೆ ಮಹಜರ್‌ನಲ್ಲಿಕಂಡಿರುವ ಮೇರಿಗೆವುಭಯತ್ರರು ನೆಡದು ಕೊಳ್ಳಬೇಕೆಂತ ಕಾಯಿಲ್ ಮಾಡಿ ಆಪ್ರಕಾರಜಾತ್ರೆಮಾಡಿಕೊಳ್ಳುವಂತೆ ತಾಕೀತು ಮಾಡಬೇಕಾದ್ದಲ್ಲದೆಯೀ ವಿಷಯದಲ್ಲಿ ಕೆಜಾವಗ್ಯೆರೆ ನಡೆಸುವದು ಯಿಲ್ಲದೆ ಹಾಗೆತಂಟೆ ನಡಕಿದ್ದಲ್ಲಿ ಬಾರಾನಶ್ಯಾತಿಗೆ ಪಾತ್ರರಾಗುತ್ತಾರೆಂಬದಾಗಿ ಹುಕುಂಮೇರೀಗೆ ಬಾಯಿದೆಕೆರ್ ವಮಚ್ಚಳಿಕೆ ತೆಗೆದುಕೊಂಡು ನಿಮ್ಮರುಜುವೆನಿಶಿ ಕಳುಹಿಸ ಬೇಕಾದ್ದಲ್ಲದೆ ಕಜಾಬಕೇಡಿ ಯಾವನೆಕ್ಕು ನಡೆಯುವಕ್ಕೆ ಆಸ್ಪದವಿಲ್ಲದಂತೆ ನೀವುಪೂರಾ ಹಕ್ಕ್ಕೆ ದುಯಿಟ್ಟರ ತಕ್ಕದ್ದು ಯಿದೇ ತಾರಿಖು ೧೧ನೆ ಸಾಹೆಪಿ ೧೯೩೩ನೇ ಯಿಸವಿ ಮೊಖ್ತಾಂ ಕಸಬಾ ಆನೆಕಲ್. ಪಾರ್ಷಿಯಲ್ಲಿ ಮಾನುಲಿದಾರ್ ಸೈಯದ್.ವ್ ಬಾಪು ಸಾಹೆಬರ ದಸ್ತತ್ತು ಆಗಿಬಿರುತ್ತ ಪೈನಲ್

ತಾರಿಖು ೧೩ ರಲ್ಲು ಸ್ತಳದಾಖಲ್

[ಕಾಪಿ]

ಪೈನಲ್

೧೧ನೆ ಯಪ್ರೀಲ್

೧೯೪೯ನೆ ಸಂ: ತಾಕೀತ್‌ಕೊಡತಕ್ಕದ್ದು.

ಈಬಳಿ ಅಮಲ್‌ದಾರ್ ಸ್ಯೆನು ಆಗಿಫೆ

ಆನೆಕೆಲ್ ತಾಲ್ಲೂಕ್ ಕಚೇರಿಗೆ.

ಸ್ ೧೯೪೯ನೆ ಯಿಸವಿ ಯಪ್ರೀಲ್ ತಾರೀಖು ಕಂಗರಲ್ಲು ಆವಗೆದ್ದ ಗ್ರಾಮದಲ್ಲಿರುವ ಚನ್ನಪ್ಪ ವಗೈರೆ ೯ ಕಣಸ್ತರು ಬರದುಕೊಂಡ ಮನವಿ ಅರ್ಜಿಯೇನಂದರೆ ಅದಾಗಿ ಆರಗದ್ದ ಗ್ರಾಮದಲ್ಲಿ ದೇಕ ದಪಣಸ್ತರಾದ ರಾಚೈಯ್ಯನವಗೈರೀರು ೯ ಕಣಸ್ತರಾದ ನಮ್ಮಲ್ಲಿಯು ಮದುವೆ ಮುಂಜಿದೇವತಾಕಾರ್ಯ ವಗೈರೆ ಕಾರ್ಯಗಳಿಗೆನಮಗುತವರಿಗು ಹದ್ದುಬಸ್ತು ಯಿಂಗಡಿಸಿ ಕೊಂಡು ಅವರಬೀದಿಯಲ್ಲಿ ಅವರುನ್ನು ನಮ್ಮಬೀದಿಯಲ್ಲಿ ನಾವು ಪ್ರಸ್ತಪ್ರಯೋಜನಗಳು ದೇವತಾಕಾರ್ಯಗಳು ಸಹಾ ಮಾಡಿಕೊಳ್ಳುತ್ತ ಬಂದ ತರುವಾಯ ಯಿಾಚಗೆ ಗ್ರಾಮದ ಜಾತ್ರೆಯಲ್ಲಿ ಬಸವೇಶ್ವರ ದೇವರಿಗೆ ಆರ್ತಿಬಿಳಗುವಕಾಲದಲ್ಲಿ ನಮಿಗು ದೇಕದಪಣಸ್ತರಿಗು ಸಹಾ ತಕರಾರು ಬಂದಿದ್ದಕ್ಕೆ ನಾವ್ರುಗಳು ಸನ್ನಿಧಾನಕ್ಕೆ ಅರ್ಜಿಕೊಟ್ಟಿದ್ದರಿಂದಾ ಸದ ರಿದೇಕದ ಫಣಸ್ತರಾದ ರಾಚೈಯ್ಯನವಗೈರೆರನ್ನು ಕರಿಸಿ ಸಾಬಕು ನಮಿಗು ಅವರಿಗು ಆಗಿಮಿದ್ದು ಕರಾರು ತರಿಸಿಕೊಂಡು ನಮಿಗುಅವರಿಗುಬರದು ಯಿದ್ದಕರಾರಿನಲ್ಲಿನಮೂದು ಯಿದ್ದವ್ಯಾರಿಗೆ ದೇಕದ ಪ್ಯಾಟಿಯ ವರು ನಾವು ನಡೆಯುವದಕ್ಕೆ ಸಮ್ಮತಿ ಯಿರುವದಾಗಿಕ್ಯೆಫೀತು ಬರಯಿಯಿದ್ದಾರೆ ಆದ್ದರಿಂದಾ ಮುಂದೆ ಅ ದರಂತೆಅವರಿಗು ನಮಿಗು ಯಿವಿಷಯದಲ್ಲಿಯೇನು ತಕರಾರಿಗೆ ಅಸ್ಪದ ಆಗದೇರೀತ್ಯ ಯಿಾಗ ದರಿಯಾಪ್ತ ಯಲ್ಲಿನಮೂದು ಆಗಿಯಿರುವದನ್ನುಕುರಿತುಸರ್ಕಾರದಿಂದಾ ನಾವುಗಳು ದೇಕದ ಫಣಸ್ತರು ಸಹಾ ನಡೆಯು ವಹಕ್ಕೆ ತಾಕೀತಿ ಅಪ್ಪಣೆ ಆಗಬೇಕೆಂಬದಾಗಿ ಪ್ರಾರ್ಥಿಸುತ್ತೇವೆ.

ಸ್ವಾಮಿ

ಯಿಾ ಬಳಿ ಚನ್ನಪ್ಪನ ರುಜು ಯೆಂದು ಯಿಫೆ.

ದಿನಾಂಕ ೧೩

ಆ ಸಾ ಮಿ ಗೆ ಜ ವಾ ಬು

ಈ ಪಣಪತ್ರವಾದ ನೀವುನ್ನು ೧೪ ಫಣಪತ್ರಾದ ರಾಚ್ಚೈಯ್ಯನಸ್ಟೈರನ್ನು ಸವಾಸಕಬುಕುನಿಘಂ ಟನಿಗಳು ಮಾಡಿಕೊಂಡಿರುವನೆರನ್ನು ಕುರಿತು ಬರಪು ಕೊಂಡಿರುವ ಅರ್ಜಿಯಲ್ಲಿ ಸದರೀ ಪೂರ್ವಕಡೆ ಉರುಬಾಗಲೂ ಆರಭ್ಯನಿಂದ ವುತ್ತರಕಡೆಬೀದಿ ಕಟ್ಟಿಮಕಡೆ ಪೂರುಬಾಗಿಲುವರೆಹ ೧೪ ಫಣದವರಿಗೆನ್ನುಕಟ್ಟಿ ಮಕಡೆ ಜೂರು ಬಾಗಿಲುಬಳಿ ಇರುವ ಚಾವಡಿವೊಗೆಳು ಆರಭ್ಯದ ದಕ್ಷಿಣ ಕಡೆಬೀದಿ ಪೂರ್ವಕಡೆ ಪೂರು ಬಾಗಿಲುವರಾ ಒಂಭತ್ತು ಪಣಕ್ಕೆ ಸೇರಿದವರಿಗೆನ್ನೂ ಗಾಪುದೇವತೆ ಜಾತ್ರೆ ವಸ್ಯೆರೆ ವಿಷಯದಲ್ಲಿ ಆನೆಕಲ್ಲುಕಸಭೆಯಲ್ಲಿ ನಡೆಯುವ ಪದ್ಧತಿ ಪ್ರಕಾರನಡದು ಕೊಳ್ಳುವಹಾಗೂ ಪೂರು ಹೊರಗೆ ಇರತಕ್ಕ ದೇವಸ್ಥಾನಗಳಿಗೆ ಅವರವರ ಸಿಬಂಧನೆ ಪೂರುಬಾಗಿಲುಗಳಲ್ಲಿ ಆಯಾಯ ಪಣಸ್ಥರು ಬಾಜಾಭಜಂತ್ರಿಯಿಂದ ಹೊರಗಿ ಬರಬಹುದೆಮನ್ನೂ ಚನ್ನಕೇಶವದೇವಸ್ಥಾನಕ್ಕೆ ಹೋಗುವ ಮೆಟ್ಟುಕಲ್ಲು ಅರ್ದಭಾಗಕ್ಕೆ ಸರಿಯಾಗಿ ಹಪಿನೆಂಟು ಪಣದವರು ಬರುವಹಾಗೆಯೂ ದಕ್ಷಿಣ ಬೀದಿಕಡೆಯಲಾಸಿಯಾಗಿ ಗುರ್ತುಮಾಕ ಇರುವ ಪ್ರಕಾರಕ್ಕೆ ಒಂಭತ್ತು ಪಣದವರು ಪೋಗುವಹಾಗೂ ಹೀಗೆ ನಿಭಂದನೆಗಳು ಮಾಡಿಕೊಂಡಿರುವಾಗಿ ನಮೂವಿರುವಂತೆ ನಡೆಯುತಕ್ಕದ್ದಕ್ಕೆ ತಮ್ಮಗಳಿಗೆ ಸಮ್ಮತಿ ಇರುವದಾಗಿಯೂ ಹೀಗೆ ನಿಷ್ಕರ್ಷೆ ಆದಬಾಗಾಯಿತು ಇದೇಮೇರಿಗೆ ನಡಿಯುತ್ತಾ ಇರುವದಾಗಿಯೂ ಸಹಾ ದೇಕಕ್ಕೆ ಸೇರಿದ ರಾಚೆಯ್ಯನಸ್ಟೈರನ್ನೂ ಒಂಭತ್ತು ಪಣಕ್ಕೆ ಸೇರಿದ ನೀವುಗಳನ್ನೂ ಸಹಾ ಕೈಪೀತ್ರೂ ಬರಸಿ ಇರುವದು ಅಲ್ಲದೆ ಬಸವೇಸ್ವರನ ಜಾತ್ರೆಯಲ್ಲಿ ಸೋಮವಾರದ ದಿವಸ ಹಪಿನೆಂಟು ಪಣದವರುಪೀಪಳು ಮಾಡಿಕೊಳ್ಳುವ ಹಾಗೆಯೂ ಮಂಗಳವಾರದ ದಿವಸ ನೀವುಗಳು ಮಾಡಿಕೊಳ್ಳುವ ಹಾಗೂ ಮಂಗಳವಾರದ ದಿವಸ ರಾಚೆಯ್ಯನೆ ಪ್ರೊಜಿವಾಡುವ ಹಾಗೂ ಯೀಜೆ ದೀಪಗಳು ನೀವೆಜಿಳಗಿಕೊಂಡು ಕಾಯಿನೀವೆ ಹೊತದೆಕೊಂಡು ಆರತಿ ನೀವೆ ಬೆಳಗಿಕೊಳ್ಳುವ ಹಾಗೂ ಸುದಾವುಛಯತ್ರರುಕಬೂಲ್ ಪಟ್ಟು ಕೈಪೀತ್ ನಲ್ಲಿ ಬರಸಿ ಇರುವದ್ದರಿಂದ ಇದರಂತೆ ವುಭಯ ಪಣದವರ, ನಡದುಕೊಳ್ಳಬಹುದೆಂಮನ್ನೂ ಹಾಗನಡಿಸುವೆ ಐಮಿಂದ ಖಜಾಕ್ಕೆ ಆಸ್ಪದವಾಗುವಹಾಗೆ ಯಾತಾನ್ನೂ ಸದರಿ ನಿಭಂದನೆಗಳಿಗೆ ವಿರೋಧವಾಗಿ ನಡೆಯದಂತೆ ಕಯದು ಯಿಡುವಂತೆ ವಸ್ಯೆರೆ ಹಾರಗದ್ದೆಹೋಬಳಕ್ಕೇಕದಾರರಿಗೆ ಚಂದಾಮು ಮುಖ್ಯನುನಿಗೆ ಹನ್ನೆರಡನೆ ನಂಬರು ತಾಕೀತಿಯನ್ನಾ ಕೊಟ್ಟು ಇಥೆಯಾಗಿ ಆಪ್ರಕಾರ ನೀವುನ್ನೂ ಸರಿಯಾಗಿ ನಡದು ಕೊಳ್ಳತಕ್ಕದ್ದಿದೆ ತಾ ೧೬ನೇ ಎಪ್ರೀಲ್ 1859ನೇ ಇಸವಿ.

ಯಿಂ ಬಳಿ ಅಮಲ್‌ದಾರ್‌ರವರ್ ಸ್ಟೈನ್ ಆಗಿ ಇಥೆ.

ಬೆಂಗಳೂರು ಡಿಸ್ಟ್ರೀಕ್ಟ್ ಡಿಪ್ಟಿ ಕಮಿಷನರ ಸಾಹೇಬರವರ ಜನಾಬಿಗೆ.

ಸರ್ಕಾರ್‌ನೀ ಇಸ್ವಿ ಮೇ ತಾರೀಖು ೨೪ರಲ್ಲು ಆನೆಕಲ್ಲು ತಾಲ್ಲೂಕ್ ಹಾರಗದ್ದೆ ಹೋಬಳಿ ಸಬಾ ಹಾರಗದ್ದೆಯಲ್ಲಿರುವ ಯಾಕಳಿಗೆ ರುಜುಮಾಡಿರುವ ಒಂಭತ್ತು ಪಣಕ್ಕೆ ಶೇರಿದ ಜನಗಳು ಬರದು ಕೊಂಡ ಅರ್ಜಿ ಅದಾಗಿ,

ನಮ್ಮ ಗಾಮಜಾತ್ರೆ ಲಾಗಾಯಿತುನಿಂದ ನಾವು ಮತ್ತು ಹದಿನೆಂಟು ಪಣಸ್ತರು ಸದಾ ಸೇರಿ ವರುಷಂಪ್ರತಿ ವರುಷದಲ್ಲಿಯೂ ಮಾಡತಕ್ಕ ಪದ್ದತಿಯಲ್ಲಿ ಕೆಲವು ವಿವಾದಗಳು ನಡದು ತರುವಾಯ 59 ನೇ ಯಿಸ್ವಿಯಲ್ಲಿ ನಮ್ಮನಮ್ಮಗಳಿಗೆ ಇರತಕ್ಕ ತಕರಾರುಗಳಂ ವ್ಯವಕ್ಕೆಯಿಂದ ಆಗಿನ ಅಮಲ್ ದಾರ್‌ರು ಸೈಯ್ಯದ್ ಮೋಹಿನ ಸಾಹೇಬರವರು ಹುಕುಂ ಕೊಟ್ಟು ಇರುತ್ತಾರೆ ಅದರಲ್ಲಿ ಕಂಡ ಪರತ್ತಿನಂತೆ ಈ ತಹಲ್ ವರಿಗೂ ನಡಿಯುತ್ತಾ ಬಂತೂ

೧ ತಿಂಗಳ ಕೆಳಗೆ ಆದ ವೂರುಹಬ್ಬದಲ್ಲಿ ೧೪ ಪಣಸ್ತರು ಕ್ರಮಪ್ರಕಾರ ಸೋಮವಾರದ ದಿವಸ ದೀಪಗಳು ವಗ್ಗೈರೆ ಮಾಡಿಕೊಂಡರು ಡಿಟೋ ಮಂಗಳವಾರದ ದಿವಸ ೧೪ ಪಣದವರು ವೂರುಬಾಗಿಲಿಗೆ ತೋರಣ ಕಟ್ಟಿ ಕುಂಬಗೂಳು ವಗ್ಗೈರೆ ಹಾಕಿ ಯಿದ್ದರು. ಆಕಾಲದಲ್ಲಿ. ಯಡಗ್ಯೈಯೆಲ್ಲಿ ಯಂಬುವಳು ಅಲ್ಲಿಗೆ ಹೋದೆಳೇದೆನ್ನು ಆದರಿಂದಾ ೧೪ ಪಣದವರಿಗೆ ಲುಕ್ಸಾನು ಆಯಿತೆಂದು ತಾಲ್ಲೂಕ್ ಕಚೇರಿಗೆ ಫಿರಿಯಾದು ಮಾಡಿದರು ಡಿಟೋ ಪಿರಿಯಾದೀ ವಿಚಾರಣೆಯಿಂದಾ ಸುಳ್ಳಿಂದು ತಳ್ಳುಪಡಿಯಾಯಿತು ಡಿಟೋ ಮೆಕಸ್ದವೆ ತಳ್ಳುಪಡಿಯಾಯಿತೆಂಬ ಆಕ್ಕೋಲ್ಕದಿಂದಾ ೧೪ ಪಣದವರು ಪ್ರಸಹ ತಾಲ್ಲೂಕ್ ಆವುಲ್‌ದಾರಲ್ಲಿ ಅರ್ಜಿಕೊಟ್ಟು ಯಾವಾಗ್ಯೂ ಯಿಲ್ಲದ ಕದ್ದತಿ ವುಂಟು ಮಾಡಿಕೊಂಡು ಹೊಸದಾಗಿ ವೂರುಹಬ್ಬ ಮಾಡಬೇಕೆಂದು ಲೈಸೆನ್ಸು ಪಡದುಯಿದ್ದಾರೆ ಯಿದು ಮಾಮೂಲಿಗೆ ವಿರೋದವಾಗಿಯಿಧೆ ಮತ್ತು ನಮ್ಮ ೯ ಪಣಸ್ತರಿಗೆ ವಂದು ಅವಮಾನ ಪಡಿಸಬೇಕೆಂಬ ದುರಾಲೋಚನೆ ಮಾಡಿ ಯಿರುತ್ತಾರೆ ಈ ವಿಷಯದಲ್ಲಿ ನಾವುಗೆಳು ಅಮಲ್‌ದಾರ್‌ರವರಿಗೆ ಡಿಟೋಲೈಸೆನ್ಸು ಪ್ರಭಯ ಪಣಸ್ತರಿಗು ಸಮ್ಮತಿ ಪಡುವವರಿಗು ಪ್ರತ್ಯೇಕ ಕೊಡತಕ್ಕೆದಲ್ಲವೆಂದು ಅರ್ಜಿ ಹಾಜರ್ ಮಾಡಿದ್ದದ್ದಕ್ಕೆ ಡಿಟೋ ಅರ್ಜಿಯನ್ನು ಪರಾಂಬರಿಸಿದೇನೆ ನಮ್ಮುಗಳಿಗೆ ಸರಿಯಾದ ಆರ್‌ಡರ್ ಮಾಡದೇನೆ ವಾಪಸುಮಾಡಿ ಯಿರುತ್ತಾರೆ ಡಿಟೋ ಅಮಲ್‌ದಾರ್ರು ಕೊಟ್ಟುಯಿದ್ದ ಲೈಸೆನ್ಸಿನಲ್ಲಿ ಈ ಮಾಹೆ ೨೩—೨೪—೨೫ನೆ ತಾರೀಖುಗಳಲ್ಲಿ ಮೇಲ್ಕಂಡ ವೂರುಹಬ್ಬದ ವುತ್ಸವಗಳು ನಡಿಸುವದಾಗಿ ನಮೂವಿಸಿ ಯಿರುತ್ತೆ ಆದ್ದರಿಂದ ಧರ್ಮಪ್ರಭುಗಳಾದ ಬಾವಂದರವರು ಈ ಅರ್ಜಿಯನ್ನು ಪರಾಂಬರಿಸಿದ ವಡನೆ ಡಿಟೋ ತಾಲ್ಲೂಕ್ ಅಮಲ್‌ದಾರ್ರು ಕೊಟ್ಟ ಯಿರುವ ಲೈಸೆನ್ಸು ವುಭಯ ಪಣಸ್ತರಿಗು ಸಮ್ಮತಿ ಪಡಿಸಿ ನಂತರ ವೂರುಹಬ್ಬಬೇಕೆಹೊರ್ತು ಯಿಂಗ ಆಗತಕ್ಕದ್ದಲ್ಲ ಯಿದರಿಂದಾ ನಮ್ಮುಗಳಿಗೆ ಯಿಜಾ ಮತ್ತು ತೊಂದರೆಗಳೂ ಸಂಭವಿಸುವದಕ್ಕೆ ಕಾರಣವಾಗುತ್ತೆ ಆದಕಾರಣ ಡಿಟೋ ತಾಲೋಕ್ ಅಮಲ್‌ದಾರ್ರು ಕೊಟ್ಟಿರುವ ಲೈಸೆನ್ಸನ್ನು ವುಭಯಪಣಸ್ತರಿಗು ಕರಿತಿದರಿಯೂಪ್ತಿಯಿಂದ ಸಮ್ಮತಿ ಪಡಿಸಿ ಫೈನಲ್ ಮಾಡುವವರಿವಿಗು ಡಿಟೋ ಲೈಸೆನ್ಸು ಜಾರಿಲಿ ತರದೆ ವೂರುಹಬ್ಬವನ್ನಾ ಮಾಡಿಸಬೇಕೆಂದು ಹುಕುಂ ಆಗಬೇಕೆಂದು ವಾರ್ತಿಸುತ್ತೇವೆ.

ಈ ಬಳಿ ಗುರುಬಸಪ್ಪನ ರುಜು ಯೆಂದು ಯಿಧೆ.
ಈ ಬಳಿ ದೊಡ್ಡವೀರಂಣನ ರುಜು ಯೆಂದು ಯಿಧೆ.
ಈ ಬಳಿ ಬಿದ್ದೇಕಂಣನ ರುಜು ಯೆಂದು ಯಿಧೆ.
ಈ ಬಳಿ ವೀರನಂಜುಂಡಪ್ಪನ ರುಜು ಯೆಂದು ಯಿಧೆ.
ಈ ಬಳಿ ಚೊಕ್ಕಂಣನ ರುಜು ಯೆಂದು ಯಿಧೆ.
ಈ ಬಳಿ ಮರಿವೀರಪ್ಪನ ರುಜು ಯೆಂದು ಯಿಧೆ.

Amildar for immediate report with records. The license granted by him should be suspended uuless the Amildar is satisfied that there shall be no disturbance or that the mamool has been strictly adhered to.

(Sd.) Mr. SHUJAET ALLI.

District Magistrate.

ಗೆ ನಂಬರು ಮೀಟಿ ಮು ಗಿಗ

ಬೆಂಗಳೂರು ಡಿಸ್ಟ್ರಿಕ್ಟ್ಟು ಮೆಡಿಸ್ಟ್ರೇಟ್ರವರ ಕೊರ್ಟು ಜನಾಬಿನೆ

ಆನೇಕಲ್ ತಾಲ್ಲೂಕು ಅವಿಾಲರಯಿತ್ತಿಲೆ

ಗಿಂನೆ ನಂಬರು ಹುಕುಂಮಿಗೆ ಜವಾಬು —ತಾ ಎಜಿ— ಗಿ —ಗಿ ಅಪ್ಪಣೆ ಆ ದ ಹುಕುಂ ನೋಡಿಕೊಂಡೆ ಯಿಾಹುಕುಂಪಿದವಿ ಸರ್ಜಾಪುರದಿಂದಾ ಬರುತ್ತಾ ಯಿರುವಾಗ ದಾರಿಯಲ್ಲಿ ಎರ-ಗಿ-ಗಿ-ರ್ಣಾಸಾಯಂಕಾಲ ನಾಲ್ಕುಘೆಂಟೆಗೆ ತಲ್ಪಿಪಿತು ಹಾಜರ್‌ಮಾಡಿದೆ ಗಿ ಘಣಸ್ತರಿಗೆ ಗ್ರಾಮ ಜಾತ್ರೆ ಗಿಗ ಘಣದವರು ನಾಡುತ್ತಾ ಯಿರುವದನ್ನು ನಿಲ್ಲಿಸ ಬೇಕೆಂಬುವದಕ್ಕೆ ವ್ರಂಟಾಪ್ತ ಕಾರಣ ತಳಿ ಸಿದರೆ ಅದುಮಾಮೂಲಿನ ಪದ್ದತಿಗೆ ವಿರೋಧವಾಗಿ ಯಿದ್ದರೆ ಜನಾಬು ಹುಕುಂ ಪ್ರಕಾರ ಲೈಸೆನ್ಸು ಸ ಸ್ಪೆಂಡಿಗೆ ತಾಕೀತು ಕೊಡುತ್ತೆಂದು ತಿಳಿಸಿದ್ದಕ್ಕೆ ಆದಿವಸ ಅವರು ದಾಕಲೆ ಸಹಿತ ಹಾಜರಾಗುವಹಾಗೆ ಹೇ ಳಪಾನೆ ಓವಸ ತಾರೀಖು ಎಳನೆವಿ ೧೦ ಘೆಂಟೆಗೆ ಹಾಜರಾಗಿ ಗಿಗಳಿನೆಯಿಸವಿಯಲ್ಲಿ ೯ ಘಣಸ್ತರು ತಾಲ್ಲುಕಚೇರಿಗೆ ಬರದುಕೊಂಡ ಅರ್ಜಿಆದೆ ಪೈಲ್ ೧೩ನೆ ನಂಬರು ತಾಲ್ಲೂ ಯಿಂದಾರ್ಸು ಹಾಜರ್ ಮಾಡಿ ಯಿದ್ದಕ್ಕೆ ವಿರೋದವಾಗಿ ಗಿಗ ಘಣದವರು ಮಂಗಳವಾರದದಿವಸ ಚಾಟುಯಿಕ್ಕುವದನ್ನು ಬದ ಲಾಯಿಸಿ ಕನಿವಾರದದಿವಸ ಚಾಟು ಯಿಕ್ಕಿದ್ದಾರೆ ಯಿದಕೆಯಿಂದಾ ತಮಿಗೆ ಅವಮಾನ ವುಂಟಾಗಿದೆ ಗ್ರಾ ಮದ ಪಕ್ಕದಸಿಕ್ಕು ವೂರು ಭಾಗಲಿನಲ್ಲಿ ತೋರಣ ವಗೈರೆ ನಾಲ್ಕು ಘೆಂಟೆಗೆ ಕಟ್ಟು ಸೀರಿಗೆ ಹೋಗದವಾ ಗೆ ಅಡ್ಡಿಮಾಡಿಯಿರುತ್ತಾರೆ ವುಳಯತ್ರರುಯೋಕೀಭವಿಸುವವರಿಗು ಗ್ರಾಮದ ಹಬ್ಬನಡಿಯು ಕೂಡದುನಿಲ್ಲಿಸೆ ಬೇಕು ಹೀಗೆನಿಲ್ಲಿಸುವದಲ್ಲಿ ೧೪ ಘಣದವರು ಪದ್ದತಿ ಅನುಸರಿಸಿ ನಡದು ಯಿದ್ದು ಅದರಿಂದಾ ಅವರಿಗೆ ವುಂಟಾಗುವ ನಷ್ಟಕ್ಕೆತಾವೆ ಜವಾಬು ಮಾಡುತ್ತೇವೆಯೆಂದುವಾಂಗ್ಮೂಲಾ ಮತ್ತು ಮುಚ್ಚಳಿಕೆ ಸಹಾ ಬರದು ಕೊಟ್ಟರು ಅದರಮೇಲೆ ಲೈಸೆನ್ಸು ಸಸ್‌ಪೆಂಡುಮಾಡಲು ತಾಕೀತುಕೊಟ್ಟು ಗ್ರಾಮಜಾತ್ರೆನಿಲ್ಲಿ ಸಲ್ ಪಟ್ಟತು ೧೪ ಘಣಸ್ತೆರನ್ನು ವಿಚಾರಿಸಲಾಗಿ ತಾವು ಮಾಮೂಲಿನಿಂದಾ ೧೪ನೆನೆ ಯಿಸವಿದಿವಿಜ್ಞ ದಿವಾನಿ ೩೨೩ನೆನಂಬರ್ ಹುಕುಂಅನುಸರಿಸಿ ತಾಲ್ಲೂಕಅವಿಾಲರ ಕೊರ್ಟ್‌ನಿಂದಾಕೀಕದಾರ್ರಿಗೆಸಾದರಾದ ೧೧ ನೆ ನುಬರ್ ಹುಕುಂಮೇರಿಗೆ ಬೇರೆಬೇರೆಕಾಲದಲ್ಲಿ ಪತ್ಯೇಕವಾಗಿ ಗ್ರಾಮಜಾತ್ರೆ ಕದ್ದುಬಸ್ತುಯೇರ್ ಪಟ್ಟು ಯಿರುವದರಲ್ಲಿ ಮಾಡಿಕೋಳ್ಳುತಾ ಯಿದ್ದಿವಿ ಯಿಾಚೆಗೆ ೫-೬ ವರುಷಗ್ರಾಮಜಾತ್ರೆ ನಿಂತು ಹೋಯಿತು ಹೋದವರುಷ ಪಟೇಲ್‌ನಂಜುಂಡಪ್ಪನು ನಮ್ಮಗಳನ್ನ ಬಲವಂತದಿಂದ ಶೇರಿ ಮಾಡಬೇಕಂತಾ ಹೇಳಿದಾಸಾ ವುಗಳು ದೇವದವೇಟಿಯಲ್ಲಿ ಆರ್ತಿ ವಗೈರೆಮಾಡುತ್ತಾ ಯಿರುವಕಾಲದಲ್ಲಿ ಹದ್ದುಬಸ್ತುಗಳು ಫಿಾರಿ ಕಲ ಹಕ್ಕೆಶ್ರಯಿತ್ನಮಾಡಿದರೂ ಆಗ್ಯೇ ಶೇಕದಾರ್ ಯಲ್ಲಪ್ಪ ಮುನಿಯಪ್ಪ ವಗೈರೇರೂ ಪಂಚಾಯಿತಿಮಾಡಿ ಯು ರಡನೆವರುಷದೆಲ್ಲಿ ಅಂದರೆ ಈ ವರುಷ ನಾವು ಆರತಿ ಮಾಡುವಕಾಲದಲ್ಲಿಸದರೀ ೯ ಘಣಸ್ತರೂ ಪಟೇಲ್‌ನಂ ಜುಂಡಪ್ಪಾ ಪೇವುಗೆಲ್ ನಂಜುಂಡಪ್ಪಾ ಮಾಪಿಗೆರಯೆಲ್ಲಿ ೯ ಘಣಸ್ತರು ತಂಮ್ಮ ಪೂಜಾಸ್ತಾನಕ್ಕೆ ಪ್ರವೇ ಶವಾಗಿ ಭಂಗಪಡಿಶಿದರು ಯಿದಕ್ಕಾಗಿ ಪತ್ಯೇಕಮಾಡಿ ಕೊಳ್ಳಲು ಲೈಸೆನ್ಸು ಪಡದೂ ಮಾಮೂಲ್ ಪ ದ್ದತಿ ಅನುಸರಿಸಿ ಹದ್ದುಭಸ್ತುಸ್ತಳದಲ್ಲಿ ದೇವತಾ ಕಾರ್ಯ ಮಾಡುತ್ತಿದ್ದಿವಿ ಆಪ್ಪಟರಲ್ಲೆ ಪೋಲೀಸ್‌ಪಟೆ ದಾರ್ ಬಂದು ಜಾತ್ರೆಮಾಡಕೂಡದೆಂದು ನಿಲ್ಲಿಸಿ ಬಿಟ್ಟದ್ದಾರೆ ಯಿದರಿಂದ ತಮಿಗೆ ಲುಕ್ಸಾನ್ ಮತ್ತು ಕಾರ್ಯಭಂಗವು ಸಹ ಸಂಭವಿಶಿದೆಯುಂದು ಭಯವಾಸಿಶಿ ತಾವು ಮಾಮೂಲಿಗೆ ವಿರೋಧವಾಗಿ ನಡೆಯಲಿಲ್ಲ ಎಂ ಬುವದಕ್ಕೆ ವುಳ್ಳುನಾಯಿಯಲ್ಲಿ ಯಿದ್ದ ಸೇಕದಾರ್ ಮತ್ತು ಪಟೇದಾರ್ ಘಣಕ್ಕೆ ೬ರದೆ ಯಿರತಕ್ಕವರಿ ಗೆ ಸಹಾ ವಿಚಾರಿಸಿ ಬೇಕೆಂದು ವಾಗ್ಮೂಲಕೊಟ್ಟು ಮತ್ತು ಮೇಲ್ಕಂಡ ಹುಕುಂ ತಾಕೀತಿ ನಕಲನ್ನು ಹಾ ಜರುಮಾಡಿದರು ಈ ವರುಷ ಎಪ್ರೀಲ್ ತಾರೀಖು ೧೨ನೇ ಮಂಗಳವಾರದ ದಿವಸ ಆರಗೆದ್ದೆಯಿಂ ಗ್ರಾ ಮದೇವತೆ ಕಬ್ಬನಡಯಿತು ಆಗ್ಯೇ ೯ ಘಣಸ್ತರು ಪೂಜಾಸ್ಥಾನದಬಳಿ ಕಟ್ಟಿದ್ದ ತೋರಣದವಳಗೆ ಮಾವಿ ನರಎಲ್ಲಿ ಯಂಬುವಳು ಬಂದದ್ದರಿಂದ ಅವರುಮಾಡುವ ಹಬ್ಬಕ್ಕೆ ವಿಘ್ನ ಉಂಟಾದ್ದರಿಂದ ಹಬ್ಬನಿಲ್ಲಿಸಿ ನವ ರಿ ಯವಳಮೇಲೆ ಅತಿಕ್ರಮ ಪ್ರವೇಶ ತಕ್ಸೀರು ಕುರಿತು ಈಕೋರ್ಟಗೆ ತಂದ ಪಿರ್ಯಾದು ೩೩ನೆ ನಂ ಬರು ಕೇಸಿಗೆ ದಾಕಲಾಗಿ ಕಮ್ಮೀ ರುಜುವಾತ್ತು ಸಬೂಬ್ ಆಪರಾದಿ ಕುಲಾಸ್ ಹೊಂಡಲ್ಪಟ್ಟಳು ಅದ ರಮೇಲೆ ಈಮಾಹೆ ೦ನೆ ತಾರಿಖಿನಲ್ಲಿ ತಾವು ವೂರುಹಬ್ಬ ಮಾಡಿಕೊಳ್ಳಲು ಲೈಸೆನ್ಸುಕೂಡಬೇಕೆಂದು ಕೇಳಿಕೊಂಡು ಹದಿನೆಂಟು ಘಣದವರುಲೈಸನ್ಸ್ಕೊಂದಿ ತಾರೀಖು ೨೩ ಆಗಾಯಿತು ಮಾಮೂಲ್ ಪದ್ಧ ತಿ ಅನುಸರಿಸಿ ಜಾತ್ರೆನಮಾಡಲು ಪುರುಮಾಡಿದರು ಅದು ಪೂರಆಗುವದರೊಳಗೆ ಗೈರ್‌ಮಾಮೂಲ್‌ನಡಿ ಸಿದರೆಂದು ೯ ಘಣಸ ರು ಖರಿಯಾದಿ ಮಾಡಿದ್ದರಿಂದ ಜಾತ್ರೆ ನಿಲ್ಲಿಸಲ್ ಪಟ್ಟಿತು.

೧೪ ಪಣಸ್ತರು

೧೪ ಫಣಸ್ತರು ಪಾಜರಾಡಿಮಿತವೆ ೧೪ಳಿನೆ ಯಿನಿವಿತಃಕೀಪ್ರು ಕಾಪಿಯಿಂದ ವೃಭಯು ಫಣಸ್ತರು ಬೇರೆಬೇರೆ ಕಾಲದಲ್ಲಿ ಪ್ರತ್ಯೇಕವಾಗಿಮಾಡ ಬೇಕೆಂದುವ್ಯಕ್ತಪಡುತ್ತೆ ಯಿನು ಮುಖ್ಯವಾಗಿ ಗಾ೨ಮಜಾತ್ರೆ ಕಟ್ಟೀಕುವಿತು ಹುಟ್ಟಡ್ಡಾಗಿದಿ ರುತ್ತೆ.

ಯಿದಕ್ಕೆ ಉತ್ತರ.

೯ ಫಣಸ್ತರು

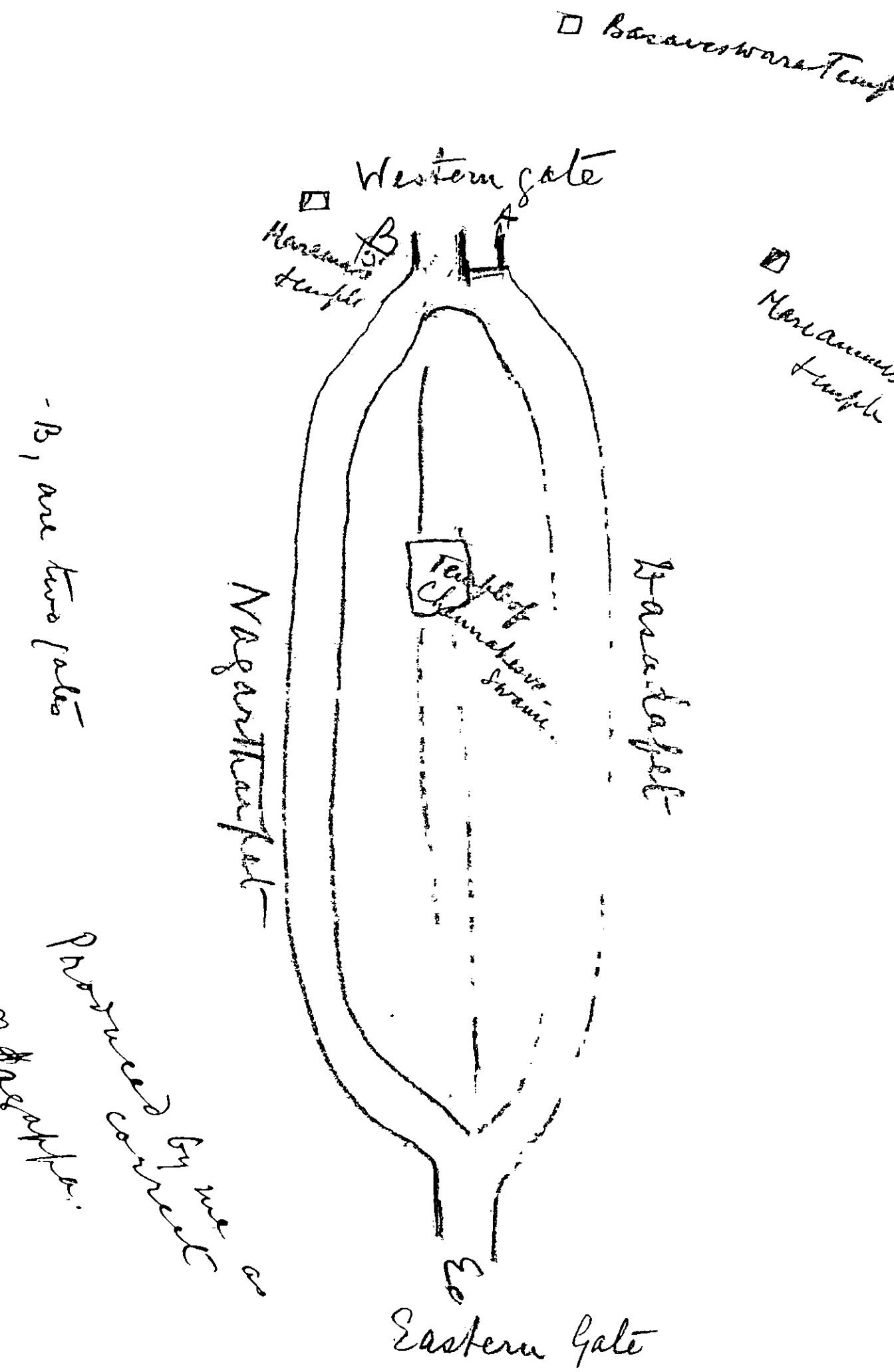
ಗ್ರೌಪತಾರುಳು ನಡಿಸಬೆಂದು ನನುಳಿಸು ಐಕಾರಣಗಳು ೧. ೧೪ಳಿನೆ ಯಿನವಿಚಾಗಾಮಿ ತು ವೃಭಯಪಣಸ್ತರು ಸೇರಿ ಹಬ್ಬವಾಡತಕ್ಕ ದ್ದು -೨- ಸೋಮವಾರ ಹಸಿನೆಂದು ಫಣಸ್ತರು ಮಂಗಳವಾರ ೯ ಫಣಸ್ತರು ಆರತಿ ಮಾಡತಕ್ಕ ದ್ದು ಬುಧವಾರ ಗಾ೨ಮಚಿಡಿವಗೈರೆ ದೇವರವ್ತ್ತಿ ವ ನಡಿಯಬೇಕು _೩ ಪಕ್ಷವಮಡಿಕ್ಕಿನ ಪೂರು ಬಾಗಿಲಿನಲ್ಲಿ ನಾಲ್ಕುಳೆಂಟಿಗೆ ತೋರಣಕಟ್ಟ ನೀರಿ ಗೆಪೋಗದಪಾಗೆ ಅಡ್ಡಿಮಾಡಿದರು ೪ ವೃಭಯ ಪ ಣಸ್ತರುಯಿಕೀಭವಿಸುವವರಿಗೆ ಗಾ೨ಮದ ಹಬ್ಬ ನ ಡೆಯಕೊಡದೆಂದು

ಯಿದು ಗಾ೨ಮಜಾತ್ರೆಗೆ ಅನ್ವಯವಿದಲ್ಲಾ ೧೪ಳಿನೆ ಸಮಿಸವಿಯಲ್ಲಿ ೯ ಫಣಸ್ತರು ತಾ೨ಬರದುಕೊಂಡಳಿ ಜಿ೯ಯಲ್ಲಿ ಬನಶೇಶ್ವರನ ಪೂಜೆಕಾಲದಲ್ಲಿ ವುಂಟು ದ ತಕರಾರಿನೆ ತಾಲ್ಲೂಕಿನಿಂದ ತಲಪಿದ ತಾಕೀತಿ ಯಾಗಿ ಇರುತ್ತೆ ವೃಭಯ ಫಣಸ್ತರಿಗು ಹದ್ದುಬ ಸ್ತು ಯಿಂಗಡಿಸುವಿದೆ ಹಸಿನೆಂದು ಫಣಸ್ತರಿಗೆ ಪ ಕ್ಷಿಮದಿಕ್ಕಿನ ಬಾಗಲು ೯ ಫಣಸ್ತರಿಗೆ ಪೂರ್ವದಿ ಕ್ಕಿನಬಾಗಲು ಎಂದೆ ವಿಂಗಡಿಸಲ್ಪಟ್ಟುಯಿರುತ್ತೆ ಅವರಬಾಗಿಲಿನಲ್ಲಿ ಅವರವಗ.ಹೋಗಿಬರಲು ಯೇ ನುಅಭ್ಯಂತರವಿಲ್ಲಾ ವೃಭಯು ಪಾರ್ಟಿಯವರು ವೈಕಮ್ಯ ವುಳ್ಳವಾಗಿ ಯಿರುವಾಗ್ಯೆ ಯೇಕೀಭವಿ ಸುವದು ಸುಲಭಸಾಧ್ಯವಾಗಿ ತೋರುವದಿಲ್ಲಾ

ಯಿದರಿಂದಲೂಫಣಕ್ಕೆ ಸಂಭಂದಪಡದೆ ಯಿರತಕ್ಕ ಜನಗಳ ಹೇಳಿಕೆ ಯಿಂದಲು ಜಾತ್ರೆ ವುಸ್ತುವಾ ರಿಯೆಲ್ಲಿಇದ್ದ ಪೋಲೀಸುದೆಪೆದಾರ್ ಮತ್ತು ಸೇಕದಾಗ್ ಹೆಳಿಕೆಯಿಂದಲು ೧೪ ಫಣಸ್ತರು ಪಾಜರುಮಾಡಿ ರುವ ೧೪ಳಿನೆ ಯಿನವಿ ೧೧ನೆಂಬದು ತಾಕೀತಿಯಿಂದಲು ವೃಭಯು ಫಣಸ್ತರು ಪ್ರತ್ಯೇಕವಾಗಿಬೇರೆಬೇರೆ ಕಾಲದಲ್ಲಿಗಾ೨ಮದೇವತೆಹಬ್ಬಮಾಡಿ ಕೊಳ್ಳುತ್ತಾ ಯಿದ್ದರೆಂತಲು ೧೪ ಫಣಸ್ತರು ಹಾಲಿನಡಪಿನೆ ಜಾತ್ರೆ ಯಲ್ಲಿಪದ್ಧತಿಗೆ ವಿರೋಧವಾಗಿ ನಡೆಯಲ್ಲಿಲ್ಲವೆಂದು ತಿಳಿಯಬರುತ್ತೆ ಪಾಪಮೂಲ್ ಪದ್ಧತಿ ಆನುಸರಿಸಿ ಪ್ರತ್ಯೇಕವಾಗಿ ೧೪ ಫಣದವರು ಅಬ್ಬಾಮಾಡಿಕೊಳ್ಳಲು ಲೈಸ'ನ್ಸು ಕೊಟ್ಟು ಯಿತ್ತು ಯಿವರಿಗು ೯ ಫ ಣದವರಿಗು ಯಿರುವನೈಕಮ್ಯದಿಂದಾ ೧೪ ಫಣದವರಿಗೆ ತೊಂದರೆ ಕೊಡಬೇಕೆಂಬ ತಾತ್ಪರ್ಯದಿಂದಾ ಅಪ ರ ಕಾರ್ಯವನ್ನು ಕೆಡಿಸಿಯಿರುವ ಸಂಗತಿ ಯಿಲ್ಲಸಂಭಂದವಾಪರಿಕಾರ್ಡು ಪರಾಂಬರಿಕೆಯಿಂದ ಚೆತ್ತಕ್ಕೆ. ಸೌ ಗ್ಯವಾಗಬಹುದು ಯಿಲ್ಲಗಲುಪಾಮೂಲು ಪದ್ಧತಿ ಆನುಸರಿಸಿ ಬೇರೆ ಬೇರೆ ಕಾಲದಲ್ಲಿ ವೃಭಯು ಫಣಸ್ತರು ಪ್ರತ್ಯೇಕವಾಗಿ ಗಾ೨ಮದೇವತೆ ಕಾರ್ಯ ಗಳನ್ನು. ಆಯಾಯ ಅದ್ದು ಖುಸ್ತುಗಳಲ್ಲಿ ಮಾಡಿ ಕೊಳ್ಳದೆ ವೃ ಭಯುಫಣಸ್ತರು ಕೆರಿಮಾಡುವವಾವರಿಸಮಾವಾನಸ್ತಿತಿಗೆ ವಿರೋಧಸಂಭವಿಸುವದೆಲ್ಲಿ ಯೇನು ಅಭ್ಯಂ ತರತೋರುವದಿಲ್ಲ ಯಿದನ್ನೆಲ್ಲಾ ವರಾಂಬರಿಕೆಯಿಂದಾಸಾದೆರಾಗುವಪಕುಂ ಪ್ರಕಾರಜಾರಿಯೆಲ್ಲಿತರುತ್ತೇನೆ ಹುಕುಂ ಪ್ರಕಾರ ಯಿದಕ್ಕೆ ಸಂಭಂಧಪಟ್ಟ ರಿಕಾರ್ಡನ್ನೆಲ್ಲಾ ಕ್ರಿಮಿನಲ್ ೩೩ನೆಸಂಬರು ಕಟ್ಟೆ ಮತ್ತು ಯಿತರ ರಿಕಾರ್ಡುನ್ನೆಲ್ಲಾ ಮಲಪೂಪಿಡಿಯಿರುತ್ತೇನೆ ಹಜರತ್ತು ಸಲಾಮತ್ತು

ಳಿ ಸಿ॥ ಹೊನ್ನಪ್ಪ ನಾಯಿಡು ಫರ್ಸ್ಟಕ್ಲಾಸು

ಮೆಜಸ್ಟ್ರೇಟುಯೆಂದು ಕನ್ನಡದಲ್ಲಿ ಸೈನಾಗಿದೆ



- B, are two gates

Proceed by the correct
Digapala.

File no. 1906
& no 160.

14

MYSORE GOVT. GENL. & REV. SECRETARIAT.

Dated Bangalore, 23/10/ 1906

No. J 987/Bl-06

OFFICIAL MEMORANDUM.

The accompanying Petition No. J 761 dated the 22nd Sept 06 received ~~at the Dewan's Office~~ from Sivanarappa and Bodappa of Haragadday village in the Anekal Taluk appealing against the order of the Dy Comr annulling the conrd, by the 18 phana people, of a procession ——— is forwarded, together with its ——— enclosures, to the DC. Mysore & the Bangalore DC. for report, with the records of the Case

By order,

for
10/10
Secretary.

ied by [illegible]

BB. SN
19.10.06 19/10/06

J/225

1906-07 file no 1906 of no 184/5

From

The District Magistrate
Bangalore District.

To

The Secretary to the Govt. of Mysore
Genl & Rev Departments.

Dated 17th } November 190
Despatched 17th }

Received

General No.

J. No. 422

Enclosure No. 2 & 8 Folds

Secy's Memo No. J. 987/Pk. 1-06
dated 23rd October 1906.

Reporting on petition from Sivarudrappa and Bodappa of Harcagaddy Village in the Anekal Taluk appealing against the order of the Dy Commr & enquiry the conduct by the Rt. Rhema people, of a procession

16

Office of the District Magistrate,

S.No.422. Bangalore District.

Ms 2287 files Dated Bangalore, 17th November 1906.

From

H. H. Sparkes Esquire,

District Magistrate,

Bangalore District.

To

K. S. Chandrasekhara Aiyar Esquire, B.A.,B.L.,

Secy. to Govt., of H.H.the Maharaja of Mysore,

General and Revenue Departments.

Sir,

With reference to your Memo.No.J.987/Pol.1-06 of 23rd October 1906, calling for a report on the petition of Sivarudrappa and Bodappa of Haragadde village in the Anekal Taluk, I have the honor to state that the petition relates to a Phanakat dispute in connection with the puja and pro-cession of the Grama Devata of the village.

2. Till about the year 1876-77 both the phanas are reported to have been jointly doing the puja. The great famine of 1876-77 seems to have unsettled this regular obser-vance of the puja, until the year 1892, when the 18 phana people separately and for themselves applied for permission to do the puja and obtained an order from the Amildar Magis-trate of Anekal in their favour. This order was appealed against and the then District Magistrate, the late Mr.Mir Shujait Ali Khan, ordered on 3rd June 1892, (1) that no party was entitled to exclude the other, (2) that if the pujari or manager of the temple, be he of whatever phana, should apply for a license, he should be granted the same if he gave sufficient security to keep the peace, and (3) that the aggressors were liable to be prosecuted.

3. In 1893, on the production of securities the Amildar Magistrate granted permission to the 18 phana people imposing

the

the restriction that the 9 phana people should not pass through the village gate during the puja by the 18 phanas. The Amildar Magistrate seems to have in imposing this restriction been guided by a settlement of the year 1859 in which it was decided that the Eastern & Western gates should be used by the 9 & 18 phanas res--pectively. On the complaint of the 9 phanas, the Assistant Com--missioner Magistrate in charge of the then Anekal group of taluks held an enquiry and submitted the question for the orders.of the District Magistrate with the observation that the endorsement of 1859 does not interdict the use of any gate or public way at any time by any phana, but only points out as it were the route to be taken by the several phanas during the procession or the puja. On 7th September 1893, the District Magistrate Mr.Mir Shujait Ali Khan heard both parties and over-ruled the Amildar Magistrate's interdiction imposed on the 9 phanas, that they should not pass through the gate during the puja time of the 18 phanas. The -- records show that the tying of toranam by 18 phana has been under--stood by the 9 phana as imposing a prohibition for their passage under it and so also the 18 phana people take objection to the 9 phana passing underneath on the ground of its wounding their reli--gious susceptibilities.

4. The matter again came up before the District Magistrate when I was in charge of the District Magistrate's Court in August 1903 on the application of the 18 phanas and license was directed to be granted to them on their furnishing the required security and on the express understanding that the 9 phanas should not be res--tricted from resorting to the public streets and gates of the village. In his order dated 2nd June 1904, the then District Magistrate Mr.Devaraj Urs followed the same principle. It is reported that when the jatra or puja was performed in 1903-04, no toranam was tied.

5. On the petition of the 18 phana people to the District Magis--trate again, it was ordered on 1st June 1906 that they may be -- permitted to put up the <u>toraman</u> and conduct their puja.

6. On the petition of the opposite phana representing the full import of the objectionable torana, the order of 1st June 06 was directed to be kept in abeyance, the records recalled and orders passed on 20th June 1906 for conducting the puja without the torana.

7. It is a significant fact that when this modified order was communicated to the 18 phana, they refused to accept the modi-fied license (vide Amildar Magistrate's report of 21st June 06

8. On 28th June 1906, the 18 phana again applied to the Dis-trict Magistrate for permission to conduct the jatra with the torana, and the Amildar was on 30th June 1906 directed to enquir and report about the history of this torana etc. During the Amildar's enquiry, each faction was represented by its Counsel, and evidence recorded. As no independent and disinterested -- evidence was available the enquiry cannot be termed conclusive. But at the same time it is to be remarked that the enquiry was fairly exhaustive. Both parties are however agreed that the tying of the torana by the 18 phanam class imports that the -- other party or phana is prevented from passing under it and the feeling about this is reported to be very strong.

9. On perusing the proceedings of this enquiry I passed orders on 18th August 1906 upholding the principle that the Western gate should not be closed to the 9 phana people during the worship of the Grama Devata.

10. It is against this order that the appeal is preferred to Government.

11. It is seen from the above paras that the policy persued in this case has all along been not to permit a party to exercise any right when it may prejudice the other party to exercise its natural rights. The 18 phanam party has not proved their right to exclude the other by this custom of tying toranam, though both are agreed that tying toranam by the 18 phanam party, excludes and restricts the other party from passing beneath and thus res-trict their right to the public streets.

12. The case therefore falls under clause (d) of para 8 of the

Govt.

Co.q W 19

Government Orders regarding processions etc., (Vide No.109/D.H.O of 27th February 1893.)

13. The records of the case are herein enclosed for reference and the enclosures of the memo under reply are herewith returned.

I have the honor to be

Sir ,

Your most obedient servant

District Magistrate,

B.N.S. Bangalore District.

G.R.S. 26]

Police File No. /

Serial No 191

Diary No. of letter replied to J/1225

No. J 1668

General and Rev. Secretariat

, *the* 190 .

To

B. Nagappa Esqr
Bar-at-Law

Sir

: of issue 1/12/06.

gned by Hamb chetty

With reference to the appeal petition of Sivarudrappa and Bodappa on behalf of 18 phana people residing at Hara gaddey village, in the Anekal Taluk ~~about the dispute as regards~~ re the conduct of the Mari Jatra procession in the said village presented by you on the 22nd September 1906, I am directed to inform you that the 2nd Councillor will be glad to meet you at the

over.

SUBJECT.

21

Public Offices on Thursday
next and to hear what you
have to say in the matter

I have &c

W.
for Secretary
30/4/06

30/4/06

List of enclosures,

Copied by 30/4

Examined by 30/4/06

MGCPB—20,000-19-12—04.

22

G.[illegible]. 26]

No J 1588

Police File No. /

Serial No. 198

Diary No. of letter replied to

No J 1588

General and Revenue Secretariat

( )

, *the* 190

Date of issue 8/12/06

Signed by Jas Hamilton Asstt.

To

S. Narasimhiengar Esqr

Advocate -

Bangalore

Sir,

I am directed to inform you that the 2nd Councillor will be glad to meet you in the Public Offices on the 17th instant in connection with the appeal petition of the 18 pharmapeople of the Haragadacy village in the Anekal Taluk in re the conduct of the Mari Jatra procession in the

over.

SUBJECT.

said village and to hear
what you have to
say in the matter, ~~etc~~
~~behalf of the ~~of~~ ~~pleas~~~~
~~people of the~~ said village.

I have &c

---

for Secretary 7/12/06

27. 12. JW 7/12/06.

List of enclosures

Copied by 8/12

Examined by JW 8/12/06.

GPB—10,000—20-4-06.

T 1398

file no. 1706-07
Sl no. 199

ab

file no. 1 of 06
sl no. 206

26

No. J 1652
Pol 1 of 06

MYSORE GOVT. GEN. & REV. SECRETARIAT,
Dated, Bangalore, 15-12 1906.

ENDORSEMENT GRANTED TO Mr. S. Varadachariyar
Advocate, Bangalore

in reply to his Petition Registered No. J1398 dated the
12th Dec 1906 praying for copies of
certain documents relating to the Marijalla
Inaccession of Haragadahalli village in the Hunsur Taluk

Petitioner is informed that Govt. are pleased
to grant copies of the marginally noted documents &
that his request as regards the Amildari
Report cannot be granted.

By Order,

W. - 15/12/06

for Secretary.

B.S.
15.12.2.

Compared
15.12.06

sd 15/12.

1. Application of petition of 15th Dec. 1906
2. Two letters petitioner to the Dy. Commr.
3. Dy. Commr's order.

G.R.S. 26]

ab

Pol File No. 1-06
Serial No 247

Diary No. of letter replied to _____

No. J 2110

General and Rev. Secretariat
( )
, *the* 190

To

The District Magistrate
of Bangalore

Sir,

Dated of issue 21-1-07

Signed by for Chambrabelly

With reference to the correspondence ending with your letter No 422 of the 17th November 1906, regarding petition of Sivarudrappa and others of the Holeya community of Haragadde village, Arsikal Taluk, appealing against the order of the District Magte, dated 18th August 1906, upholding the right of the Holeya people to pass through the western village gate

over.

SUBJECT.

28

during the time of worship
of the Gramadevata by the
18 Vaisya people ~~there~~. I am
directed to request that
early
information may kindly
be furnished to this office as to
~~regarding~~ the enactment
and the section or sections thereof
under the authority of
which the said order of
18-8-06 was passed by
the District Magistrate.

I have &c.

for Secy.

17/1/07

17/1/07

List of enclosures,

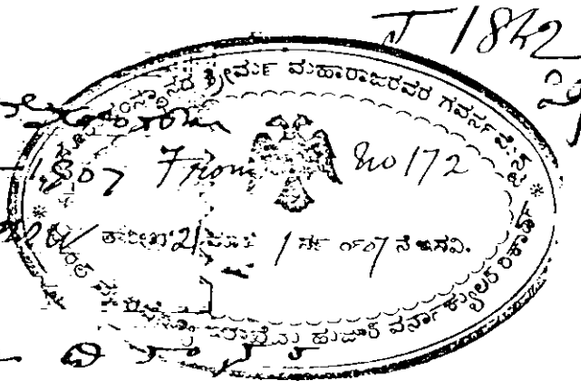
Copied by 19/1

Examined by

Found in the Petn. box 7.11.07

NL 24/1 D 6177 Rev.

T 1842



18-1-1907 From 8no 172

To

[illegible]

7.1.07

[illegible]

[illegible]

[illegible]

ఫైలు నం. 1కళ్ళ 07
కార్యాలయం: చిత్తూరు

(4) మీరు మీ పిల్లలను చదివించడం కోసం ఇచ్చిన దరఖాస్తు మీద ఇచ్చిన సర్టిఫికేట్లను తిరిగి పొందుటకు ఈ క్రింది విధంగా చేయవలసి ఉంటుంది.

NU 2 22764 dt/ 30.1.07

మీరు ఇచ్చిన దరఖాస్తులో ఉన్న అడ్రస్ లో చూచినా దొరకనందున మీకు తిరిగి ఇవ్వడానికి వీలుకాలేదు.

మీరు మీ పిల్లలను ఏ పాఠశాలలో చదివించదలచినారో ఆ పాఠశాలలో మీరు దరఖాస్తు ఇచ్చినట్లయితే అక్కడ మీ పిల్లలు చదువుటకు అవసరమైన సర్టిఫికేట్లను ఆ పాఠశాలకు పంపడం జరుగుతుంది. ఆ పాఠశాలలో మీ పిల్లలు చదువుటకు అవసరమైన సర్టిఫికేట్లను పొందుటకు ఈ క్రింది విధంగా చేయవలసి ఉంటుంది.

మీరు మీ పిల్లలను చదివించదలచిన పాఠశాలలో దరఖాస్తు ఇచ్చిన తరువాత ఆ పాఠశాల నుండి మీ పిల్లలు చదువుటకు అవసరమైన సర్టిఫికేట్లను పొందుటకు ఈ క్రింది విధంగా చేయవలసి ఉంటుంది.

W/ 28/1/07

for పోస్ట్ ఛార్జి

138. [illegible]
8-1-07

III 4.11.07 file 11/2/07 T 2020 31

(General Serial No. 30.) file no. 1905-07 & no. 260

1906/7

From The Dy Commissioner, [illegible] District.

To

The Secy to Govt of Punjab Genl & Educ Depts.

Dated 6.

Despatched 9. Dec. 1907.

Received

General No. } 190
S No. 614

Enclosures Number.

His N- J 2110 of 21.11.07
Ref. 1 of 06

Invites all reference to his official letter N- 622 J 17.11.06 ver upholding the right of the 9 Khan people.

32

S. 614

Office of the District Magistrate
Bangalore Dated 6th February '07

From

H. H. Sparkes Esqre
District Magistrate

To

K. S. Chandrasekhara Iyer Esqr B.A, B.L.
Secretary to Government of Mysore
General & Revenue Departments

Sir,

In reply to your letter No J2110/Pol 104 of dated the 21st ultimo, calling for information as to the enactment under the authority of which I passed orders on the 18th August 1906 in relation to a Phanakal-dibe about the worship of the Gramadevata in the Haragadda village of the Anekal Taluk I have the honor to invite your attention to the penultimate para of my letter No 422 dated the 17th November last, with which the entire records of the case were sent to Government. I have therein referred to Government order No 109 D.H.O dated 27th February 1893.

As regards the provisions of the Code of Criminal procedure, I have to state that Section 144 bears on the question.

I have the honor to be,
Sir,
your most obedient Servant

H. H. Sparkes
District Magistrate

Mrs

33

file no. 1746
sl no. 403

J2780

III
Edinburgh
4/8

Police file 220-1 of 06-07 40

Facts of the case put up by the 2nd Councillors' Office.

3 Copies to be Lithod

Sl no. 430

Proof

Before the Govt. of H. H. the Maharaja of Mysore.

Read:-

1. Petition from Sivarudrappa & Bodappa of Haragadde, Anekal Taluk, appealing on behalf of the 18 phana people of the said village, against the order of the Dep'y Com'r of Bangalore, dt. 18th Aug. 1906 confirming the order passed by Dep'y Com'r, Mr Sujat Ali Khan directing that the issue of a licence to the 18 phana people to perform mari puja at the western gate of the village should be subject to the condition that the 9 phana people are not prevented from passing through the gate at the time of the said puja.

2. Correspondence ending with letter no. S.614 of the 6th Feb'y 1907 from the Dep'y Com'r of Bangalore, reporting on the above.

Order Thereon No. 9362 3-24 Police Office of 31st May 07 Enclosures

Appeal Petition No.

Appeal petitioners:- the 18 pana people of Haragadde village, Anekal Taluk Bangalore District; represented by Mr. B. Nagappa, Bar-at-Law.

Respondents:- the 9 pana people of the said village, represented by Mr. S. Narasimhiengar, Advocate.

Appeal against the order of the (District Magistrate) of Bangalore, dated 18-8-06, confirming the order passed by (District Magistrate) Mr. Sujat Ali Khan in 1893, permitting the issue of a license to the 18 pana people to perform Mari puja at the western gate of the village provided that the 9 pana people are not prevented from passing through the same at the time of the said puja.

~~Facts of the case~~.

The population of the Haragadde village is divided into two factions, the 18 pana and the 9 pana, strongly opposed to each other. The dispute between the two parties in the matter of performing the Gramajatre is a long standing one. In 1853, on the application of the 9 pana people, the Taluk Amildar ordered, in accordance with a

Mahazir

Mahazir drawn up at a public meeting of the villagers, that the 18 pana people should perform the Jatra on a certain day, the other party performing it eight days later. In 1859 the 9 pana people again went up to the Taluk authorities with a complaint that the 18 pana people were going against the mamool and that they ~~may~~ might be ordered to strictly adhere to the terms of the arrangement already come to in the matter of processions and the Jatra. The Amildar, with the consent of both the parties, ordered that the 18 pana people should take their processions through the northern (Desada pete) street and perform the Maripuje at the western gate of the village, and that the 9 pana people should keep to the southern (Nagarathapete) street and the eastern ~~village~~ gate.

The above two orders, however, do not seem to have set the dispute at rest. The 9 pana people tried to throw obstacles in the way of the other party performing the jatra, which, consequently, does not appear to have been held for a number of years.

In 1892, while the 18 pana people were performing the puja at the western gate, the 9 pana people let into the place one Yelli, a Madigar woman. The 18 pana people thereupon complained to the Amildar that their puja was polluted. The Amildar, Mr.Honnappa Naidu, after going through the records, issued a

license to the 18 pana people to perform the puja at the western gate according to mamool and ordered that as it was distinctly laid down in the endorsement of 1859 that the western gate should be used by the 18 pana and the eastern gate by the 9 pana people for the puja, the latter should not approach the western gate while the former were performing puja there. Against this restriction the 9 pana people appealed to the ~~District Magistrate~~ Dep^ty Court, who referred the case to the Divisional Officer. ~~for report.~~ A report having been called for from the Amildar, ~~he stated that~~ that officer, after holding a exhaustive enquiry stated that

(1) the order of 1853 distinctly laid down that the parties should perform the jatra separately;

(2) that the fixing of Monday for the 18 pana and Tuesday for the 9 pana people was only for performing puja to Basaveswara and ~~does~~ did not relate to the Gramajatre;

(3) that the western and eastern gates ~~had~~ were respectly ~~fixed as the places of worship for~~ assigned to the 18 and the 9 pana people; and

(4) that the feelings between the two parties ~~are~~ were so bitter that it did not seem possible to make them perform the Jatra jointly. He further stated that unless the two parties ~~are allowed~~ were made to perform the Jatra separately, without interfering with each other's rights, there would always be the danger of a breach of the peace. The Divisional Officer,

Mr.C.D.Ramaswamy, however, ~~xx~~ differed from the Amildar and reported that the restrictions laid down in the order of 1859 only referred to processions, ~~and not to Gramjatra,~~ and that the Amildar was not right in prohibiting the 9 pāna people from passing through the western gate, which was a public ~~gateway~~ road, and that he could not see any force in the argument of the 18 pāna people that ~~xxx~~ any others but the 9 pana people might pass through the gate while the former performed the puja there. The ~~District Magistrate~~ Deputy Commr agreed with the Asstt. Commr, in thinking that the Amildar's order was altogether unjustifiable, and directed that, as both the parties were equally entitled to the Mari feast, the 18 pāna people could have no right to exclude the 9 pāna people from it, and that license should be issued to the pujari (to whatever party he might belong) provided 6 men were found to stand sureties each in 500 Rs. for maintaining the peace. The surety amount was subsequently reduced to Rs.100., and in 1904 the 18 pāna people again obtained a license to perform the Jatra. But when they were about to perform it, the 9 pāna people complained that the other party were tying a Thoranam to the western gate, contrary to manool, thereby obstructing them from passing through the gate for fetching water. The license was thereupon withdrawn and the Amildar Mr. P. Subba Rao was asked to Hq IX

to make a report. That officer held an exhaustive enquiry ~~in which 4 issues were framed, namely:-~~ in the matter - ~~(i)~~ and reported ~~as follows:-~~ that the rights and privileges claimed by one party were strongly and with equal force rebutted by the other; that neither side would show the least inclination to come to terms; that the evidence adduced ~~could~~ did not clearly show whether the parties ever performed the Jatra ~~separately~~ jointly and when they separated, or whether the 18 pana people used to tie the Thoranam during the puja. He was of the opinion that when both the parties were doing the Jatra together they must have been tying the thoranam and every thing was going on without any ~~rub~~ hitch and that the separation of the parties must have taken place after the famine of the year Dhatu, subsequent to which the 9 pana people never attempted to perform the Jatra. With regard to the objection against closing the gate during the puja, ~~the 18 pana~~ it ~~is~~ was reported that the puja did not occupy more than a few minutes, and that on either sides of the stone pillars forming the gate there were cart tracks and paths by which people could pass in and out and that the 18 pana people had no objection to the 9 pana people using them for fetching water &c. The Amildar was also of the opinion that altho' the 18 pana people often obtained licenses, they did not perform the Jatra

more than twice, namely in 1892 ~~and 94~~ when the Thoranam was tied and in 1904 when it was not allowed to be tied. In concluding his report the Amildar stated that the objection of the 9 pāna people to the tying of the Thoranam was only a fresh contention; that he did not see why the 9 pāna people should persist in passing through the gate during the time of the puja, as there ~~are~~ were side paths wide enough on either side of it; that if the restriction ~~is~~ was not admitted, the order of 1859 fixing the northern ~~street~~ and southern streets to the respective parties became meaningless, as both the streets ~~are~~ were equally public streets. He therefore requested that explicit orders ~~may~~ might be passed either to stop the jatra altogether or for the performance of it in a specific manner. The ~~District Magistrate~~ Dy. Coll. Mr. Sparkes, on perusing the above, ~~ordered~~ decided that ~~he found~~ there was no reason to reopen the case which was settled as far back as 1893 by the ~~D.~~ Asst. Dy. Coll. ~~Magistrate~~ by setting aside the order of the Amildar closing the western gate to the 9 pāna people during the worship of Grama Devata; and that the order of the former ~~District Magte.~~ Dy. Coll. allowing free passage through the gate to the 9 pāna people must be carried out. Against this order the 18 pāna people have now appealed.

~~Decree.~~

2. Mr. B. Nagappa Bar-at-law was heard on behalf of the ~~appe~~ petitioners the 18 pāna people & Mr. S. Narasimiengar, Advocate, on behalf of the respondents, the 9 pāna people.

The arguments of the counsel ~~engaged by~~ on both sides ~~the parties~~ were duly heard.

3. A careful perusal of the records connected with the case shows that the latest orders which have a binding effect upon the rival communities are those passed in 1859, according to which the northern street and the western gate were assigned to the 18 phana community and the southern street and eastern gate to the 9 phana community for performing the Gramajatre. The hitch appears to have arisen in 1892 when the 18 phana community were performing the jatra. On that occasion a Madigar woman of the 9 phana community intruded into the western gate during the performance of the puja, which led to a suspension of the puja and the institution of criminal proceedings. From this it will be seen that the 9 phana people took the objectionable course of disturbing the peaceful performance of the Gramajatre by the 18 phana community according to mamool. At the instance of the 9 phana community the ~~Distt. Magistrate~~ Revenue Divisional Officer passed an order in 1893 to the effect that the western gate should be kept quite open and that no one should be prevented from passing through it during the performance of the Gramajatre. This order appears to have been passed on a misapprehension of the facts of the case and the mamool, its effect being to render it impossible for the 18 phana people to perform the jatra. The object of the 9 phana people in getting a Madigar woman to force an entrance

entrance while puja was going on was to create a disturbance and prevent the due performance of the puja. It is clear from the records that there are cart tracks and foot-paths immediately adjoining the gate through which people may freely pass and that no inconvenience is caused to the 9 phana community by the gate being closed for a few minutes during the puja ceremony. The exhaustive reports of Messrs. Honnappa Naidu and P. Subba Rao, Amildars, filed in the records, throw sufficient light on the facts of the case and the mamool as regards the tying of thoranam and the using of the western gate by the 18 phana community. The tying of the thoranam over the gate is an incident connected with the ceremony. This together with the prevention of the 9 phana people from passing through that gate while the ceremony lasts may perhaps be construed as a technical interference with the public right of way. But it must be borne in mind that the restriction is of very limited duration and is not in itself an unreasonable one or an arbitrary innovation, that the passing of the 9 phana community through the gate would cause a disturbance of public peace the prevention of which is the primary duty of the executive, and that, after all, the 9 phana community suffer no real inconvenience, there being foot paths and tracks for carts as stated above.

For the foregoing reasons the objections raised by the 9 phana people appear to be frivolous and due to a factious spirit. The order

Feb 1906

Print

of the ~~District Magistrate~~ Deputy Commr appealed against
is set aside ~~and the appeal allowed.~~ therefore.

Let the manuscript be sent to Council

19/2/07

The Judgment Bail & Schuring
The Judgment Bail - the reasons

scripts

3 copies made
HB
27/5/07.

READ—

1. Petition from Sivarudrappa and Bodappa of Haragadde, Anekal Taluk, appealing on behalf of the eighteen-phana people of the said village, against the order of the Deputy Commissioner of Bangalore, dated the 18th August 1906, confirming the order passed by Deputy Commissioner Mr. Shujayet Ali Khan directing that the issue of a license to the eighteen-phana people to perform Mari puja at the western gate of the village should be subject to the condition that the nine-phana people are not prevented from passing through the gate at the time of the said puja.

2. Correspondence ending with letter No. S. 614, dated the 6th February 1907 from the Deputy Commissioner of Bangalore, reporting on the above.

No. J. 3623-24—POLICE 1-06, DATED BANGALORE, 31ST MAY 1907.

ORDER THEREON.—The population of the Haragadde village is divided into two factions, the eighteen-phana and the nine-phana, strongly opposed to each other. The dispute between the two parties in the matter of performing the Gramajatra is a long-standing one. In 1853, on the application of the nine-phana people, the Taluk Amildar ordered, in accordance with a mahazar drawn up at a public meeting of the villagers, that the eighteen-phana people should perform the jatra on a certain day, the other party performing it eight days later. In 1859 the nine-phana people again went up to the taluk authorities with a complaint that the eighteen-phana people were going against the mamul and that they might be ordered to strictly adhere to the terms of the arrangement already come to in the matter of processions and the jatra. The Amildar, with the consent of both the parties, ordered that the eighteen-phana people should take their processions through the northern (Desadapete) street and perform the Mari puja at the western gate of the village, and that the nine-phana people should keep to the southern (Nagartharapete) street and the eastern gate. The above two orders, however, do not seem to have set the dispute at rest. The nine-phana people tried to throw obstacles in the way of the other party performing the jatra, which, consequently, does not appear to have been held for a number of years. In 1892, while the eighteen-phana people were performing the puja at the western gate, the nine-phana people let into the place one Yelli, a Madigar woman. The eighteen-phana people thereupon complained to the Amildar that their puja was polluted. The Amildar, Mr. Honnappa Naidu, after going through the records, issued a license to the eighteen-phana people to perform the puja at the western gate according to mamul, and ordered that as it was distinctly laid down in the endorsement of 1859 that the western gate should be used by the eighteen-phana and the eastern gate by the nine-phana people for the puja, the latter should not approach the western gate, while the former were performing puja there. Against this restriction, the nine-phana people appealed to the Deputy Commissioner, who referred the case to the Divisional Officer. A report having been called for from the Amildar, that officer, after holding an exhaustive enquiry, stated that—

(1) the order of 1853 distinctly laid down that the parties should perform the jatra separately;

(2) that the fixing of Monday for the eighteen-phana and Tuesday for the nine-phana people was only for performing puja to Basaveswara and did not relate to the Gramajatra;

(3) that the western and the eastern gates had been respectively assigned to the eighteen and the nine-phana people; and

(4) that the feelings between the two parties were so bitter that it did not seem possible to make them perform the jatra jointly. He further stated that unless the two parties were made to perform the jatra separately, without interfering with each other's rights, there would always be the danger of a breach of the peace. The Divisional Officer, Mr. C. D. Ramaswamaiya, however, differed from the Amildar and reported that the restrictions laid down in the order of 1859 only referred to processions, and that the Amildar was not right in prohibiting the nine-phana people from passing through the western gate, which was public, and that he could not see

any force in the argument of the eighteen-phana people that any others but the nine-phana people might pass through the gate while the former performed the puja there. The Deputy Commissioner agreed with the Assistant Commissioner in thinking that the Amildar's order was altogether unjustifiable, and directed that, as both the parties were equally entitled to the Mari feast, the eighteen-phana people could have no right to exclude the nine-phana people from it, and that license should be issued to the pujari (to whatever party he might belong) provided six men were found to stand sureties each in Rs. 500 for maintaining the peace. The surety amount was subsequently reduced to Rs. 100, and in 1904 the eighteen-phana people again obtained a license to perform the jatra. But when they were about to perform it, the nine-phana people complained that the other party were tying a *Thoranam* to the western gate, contrary to mamul, thereby obstructing them from passing through the gate for fetching water. The license was thereupon withdrawn and the Amildar Mr. P. Subba Rao was asked to make a report. That officer held an exhaustive enquiry in the matter and reported that the rights and privileges claimed by one party were strongly and with equal force rebutted by the other; that neither side would show the least inclination to come to terms; that the evidence adduced did not clearly show whether the parties ever performed the jatra jointly, and when they separated, or whether the eighteen-phana people used to tie the thoranam during the puja.

He was of the opinion that when both the parties were doing the jatra together they must have been tying the thoranam and everything was going on without hitch; and that the separation of the parties must have taken place after the famine of the year Dhatu, subsequent to which the nine-phana people never attempted to perform the jatra: With regard to the objection against closing the gate during the puja, it was reported that the puja did not occupy more than a few minutes, and that on either side of the stone pillars forming the gate there were cart-tracks and paths by which people could pass in and out and that the eighteen-phana people had no objection to the nine-phana people using them for fetching water, etc. The Amildar was also of the opinion that although the eighteen-phana people often obtained licenses, they did not perform the jatra more than twice, namely, in 1892 when the thoranam was tied, and in 1904 when it was not allowed to be tied. In concluding his report, the Amildar stated that the objection of the nine-phana people to the tying of the thoranam was only a fresh contention; that he did not see why the nine-phana people should persist in passing through the gate during the time of the puja, as there were side-paths wide enough on either side of it; that if the restriction was not admitted, the order of 1859 fixing the northern and southern streets to the respective parties became meaningless, as both the streets were equally public streets. He therefore requested that explicit orders might be passed either to stop the jatra altogether or for the performance of it in a specific manner. The Deputy Commissioner, Mr. Sparkes, on perusing the above, decided that there was no reason to reopen the case which was settled as far back as 1893 by the then Deputy Commissioner, by setting aside the order of the Amildar closing the western gate to the nine-phana people during the worship of Gramadevata, and that the order of the former Deputy Commissioner allowing free passage through the gate to the nine-phana people must be carried out. Against this order the eighteen-phana people have now appealed.

2. Mr. B. Nagappa, Barrister-at-Law, was heard on behalf of the petitioners, the eighteen-phana people, and Mr. S. Narasim Iyengar, Advocate, on behalf of the respondents, the nine-phana people.

3. A careful perusal of the records connected with the case shows that the latest orders which have a binding effect upon the rival communities are those passed in 1859, according to which the northern street and the western gate were assigned to the eighteen-phana community and the southern street and eastern gate to the nine-phana community for performing the Gramajatra. The hitch appears to have arisen in 1892 when the eighteen-phana community were performing the jatra. On that occasion a Madigar woman of the nine-phana community intruded into the western gate during the performance of the puja, which led to a suspension of the puja and the institution of criminal proceedings. From this it will be seen that the nine-phana people took the objectionable course of disturbing the peaceful peformance of the Gramajatra by the eighteen-phana community according to mamul. At the instance of the nine-phana community the Deputy Commissioner

passed an order in 1893 to the effect that the western gate should be kept quite open and that no one should be prevented from passing through it during the performance of the Gramajatra. This order appears to have been passed on a misapprehension of the facts of the case and the mamul, its effect being to render it impossible for the eighteen-phana people to perform the jatra. The object of the nine-phana people in getting a Madigar woman to force an entrance while puja was going on, was to create a disturbance and prevent the due performance of the puja. It is clear from the records that there are cart-tracks and foot-paths immediately adjoining the gate, through which people may freely pass, and that no inconvenience is caused to the nine-phana community by the gate being closed for a few minutes during the puja ceremony. The exhaustive reports of Messrs. Honnappa Naidu and P. Subba Rao, Amildars, filed in the records, throw sufficient light on the facts of the case and the mamul as regards the tying of thoranam and the using of the western gate by the eighteen-phana community. The tying of the thoranam over the gate is an incident connected with the ceremony. This, together with the prevention of the nine-phana people from passing through that gate while the ceremony lasts, may perhaps be construed as a technical interference with the public right of way. But it must be borne in mind that the restriction is of very limited duration and is not in itself an unreasonable one or an arbitrary innovation, that the passing of the nine-phana community through the gate would cause a disturbance of public peace the prevention of which is the primary duty of the executive, and that, after all, the nine-phana community suffer no real inconvenience, there being foot-paths and tracks for carts, as stated above.

4. For the foregoing reasons, the objections raised by the nine-phana people appear to be frivolous and due to a factious spirit. The order of the Deputy Commissioner appealed against is therefore set aside.

K. S. CHANDRASEKHARA AIYAR,
Secy. to Govt., Gen. & Rev. Depts.

To—The Deputy Commissioner of the Bangalore District.
The Inspector-General of Police in Mysore.

Exd.—c

1906-07

GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

JUDICIAL AND LEGISLATIVE
(POLICE)

PROCEEDINGS

Dated 31st May 1907

No. J. 3623-24
Police 1-06

Passing orders on the appeal petition of Sivarudrappa and others of Haragadde village, Anekal Taluk, regarding the performance by the eighteen-phana people of the Marijatra at the western gate of the village.

GPB—29-6-07—300

Police file no. 1406-07
Sl no. 440
4cv

No. 93686

MYSORE GOVT. GEN. & REV. SECRETARIAT,
Dated, Bangalore, 8 . 6 190

ENDORSEMENT GRANTED TO Sivarudrappa, Bodappa and other 18 Phana people of the Haragaddhi village in the Anekal Taluk

in reply to their Petition Registered No. J 761 dated the 22nd September 1907. complaining against the order of ~~His H H Spartiar~~ the Dy. Commr Bangalore re the removal of the Mari Jatra procession of the village.

Petitioners are informed that the order appealed against is set aside.

By Order,

B.G. SN
7.6.07

Secretary.

File no. 1946-07
Sl no. 441

ఆవుల్ దొంగతనం కు మరణించిన వారి
కుటుంబ సభ్యులకు మరణ ధృవీకరణ పత్రం
ఇవ్వవలసిందిగా కోరుతూ

ఆనీడలో రాల్లు కు దూరంగా వెళ్లి
యు ళ్లూరు వెంకటరెడ్డి గారి నుండి
స్వాధీనపరుచుకోవలసిందిగా -

నిజానికి మా దృష్టికి ఈ విషయము వచ్చిన
వెంటనే మేము స్వయంగా
సాక్షులను విచారించి రుజువులు సేకరించి
ధృవీకరణ పత్రం ఇవ్వడం జరిగింది
నీవు ఇంకా ఏమైనా సమాచారం కావాలంటే
ఇవ్వగలము

ఈ విషయమై సంబంధిత పత్రికలలో
గతంలోనే ప్రచురించడం జరిగింది
ఇప్పుడు మరల ప్రచురించడానికి వీలు
కాదని తెలియజేయుచున్నాము

ధన్యవాదములతో

ఇట్లు

మీ విశ్వాసపాత్రులు

13.6.07
7.6.07

ORIGINAL

1905

FILE No. 36 OF 1905-06.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

PROCEEDINGS OF THE GENERAL AND REVENUE DEPARTMENT

LEGISLATIVE AND JUDICIAL (POLICE)

DECEMBER

"A" Collection Serial Nos. 1—5

Charges incurred in escorting a prisoner from the Bangalore Central Jail to the 1st Class Magistrate's Court at Closepet.

TABLE OF CONTENTS.

Serial No. of File	Number and date of letter and contents	Refer-ences	Page in A Progs.
1	From the Inspector-General of Police, No. 1215—114, dated 23rd August 1905. States that a bill for Rs. 4-0-9, being the cost incurred in escorting a prisoner from the Bangalore Central Jail to the 1st Class Magistrate's Court at Closepet, has been objected to be admitted by the Comptroller, on the ground that the expenditure has to be charged to the head "Way charges of escorts" in the Police budget, and requests that, as no provision has been made in the Police budget for the current year under the head referred to by the Comptroller, a provision of Rs. 600 may be made in the budget which is yet pending before Government. (Enclosures copies of certain correspondence.)		1
2	To the Comptroller, No. J. 762, dated 8th September 1905. Calls for a statement of his reasons, if any, for considering that the charges in question should be debited to the Police budget under a new head "Way charges of escorts."		1
3	From the Comptroller, No. 1622—277, dated the 11th September 1905. States that the classification of expenditure has closer reference to the Department in which the expenditure occurs than to the object of the expenditure and hence the expenditure in escorting prisoners should be adjusted in the Police Department.		2
4	Government Proceedings No. J. 1755-66, dated the 23rd December 1905. To the Inspector-General of Police, the Inspector-General of Prisons, the Registrar, Chief Court, Comptroller and District Magistrates. Approves of the Comptroller's suggestion which is calculated to facilitate audit; directs that the charges incurred in escorting prisoners to and from Criminal Courts for giving evidence be debited to the Police budget under the head "Way charges of escorting," necessary provision therefor being made in the future budgets of that Department and the contingent allotments of the Courts reduced accordingly; and states that the Comptroller will make necessary reappropriation on the above account by an additional grant to the Police Department and a corresponding deduction in the contingent allotments of Courts.		3
5	Notification No. J. 1754, dated 22nd December 1905. Notifies the modification of the rules for regulating the escort of prisoners to and from Courts in which their presence is required, etc.		3

1905-06.

GENERAL AND REVENUE SECRETARIAT.

POLICE

FOR DECEMBER.

NOTES.

FILE No. 36 of 1905-06.

Charges incurred in escorting a prisoner from the Bangalore Central Jail to the 1st Class Magistrate's Court at Closepet.

From the Inspector-General of Police in Mysore, No. 1215-114, dated 23rd August 1905.

States that a bill for Rs. 4-0-9, being the cost incurred in escorting a prisoner from Bangalore to the 1st Class Magistrate's Court at Closepet, has been objected to be admitted by the Comptroller on the ground that it should be charged to the Police budget, and requests that, as no provision has been made in the Police budget for the current year, a provision of Rs. 600 may be made in the budget pending before Government.

1. The charges incurred in escorting prisoners to give evidence before Courts should be defrayed by the Court issuing the process (*vide* Rule 9 of the Rules under the Prisoner's Testimony Regulation, V of 1894, sanctioned under Government Notification No. 3326—J. 418, dated the 17th September 1895. Such charges were sanctioned to be met from the contingencies of the Courts concerned and were being admitted by the Comptroller. (*Vide* G. O. No. 2667-68—Cts. 221-2, dated the 23rd March 1905.)

2. May this be pointed out to the Comptroller and his further opinion called for ?

Submitted with a draft letter for approval.

S. N.

31-8-05.

3. First, consult the Financial Branch.

K. S. CHANDRASEKHARA AIYAR.

1-9-05.

4. The Comptroller's objection is based upon the classification adopted in the Government system of accounts. For the head of account under which the cost of escorts should be shown, please see Civil Account Code, Vol. II, Appendix I, (F. N.) No. 113. For the principle governing such classification, please see Article 1006.

5. As, however, the practice of debiting these charges to the Courts concerned has been long in vogue, and is based upon an order of Government, a reference may, if necessary, be made to the Comptroller before passing final orders.

6. If it be decided to debit these charges to the head proposed by the Comptroller from the current year, a reappropriation has to be made as there is no provision under this head in the current year's budget. As, however, these charges are being met from the contingencies of the Courts, it must be assumed that in providing for such contingencies adequate provision for the cost of escort of prisoners has been included therein. It is from the provision for the contingencies of the Courts, therefore, that a reappropriation should be made.

T. SATYARAJA CHETTY.

4-9-05.

7. The draft already put up may be issued in the first instance, and final orders passed on receipt of the Comptroller's reply.

K. S. CHANDRASEKHARA AIYAR,

5-9-05.

8. Passed.

B. K. VENKATA VARADA IYENGAR.

6-9-05.

2. *To the Comptroller, No. J. 762, dated 8th September 1905.*

Calls for a statement of his reasons, if any, for considering that the charges in question should be debited to the Police budget under a new head "Way charge of escorts."

3. *From the Comptroller, No. 1422—277, dated the 11th September 1905.*

States that the classification of accounts has closer reference to the Department in which the expenditure occurs than to the object of the expenditure and hence the change in question should be adjusted as Police expenditure, that there is no object in requiring the Courts to defray expenditure already incurred in the Police Department and that all that is necessary is that the Courts should countersign and pass the bills as a measure of administrative audit before they are admitted in his office.

S. N. N. N.
15-9-05. 15-9-05.

9. What is the Madras Rule corresponding to our Rule 9? Put these rules up.

K. S. C.
16-9-05.

Submitted.

10. Copies of the rules in force in the Madras Presidency and United Provinces of Oudh and Agra on the subject of the incurring of charges for the escort of prisoners to and from the Courts are put up. The rules in force in other Provinces in British India are not available.

S. N. N. N.
22-9-05. 22-9-05.

11. The Madras rules seem to support the practice hitherto in force in Mysore, and require that "the cost of conveyance of prisoners to and from the Court shall be received by the officer in charge of the Jail" [as opposed to the Police Superintendent in the Mysore Rules] from the Court."

12. Under the United Provinces rules, however, no charge is to be made by the Police Department, which defrays the whole of the expenses of every kind, but where a prisoner is summoned without adequate cause by a complainant or defendant, the cost previously deposited may be sent to and credited by the Police Department.

13. In civil cases under our Regulation V of 1894, the costs and charges of executing the process have to be deposited in Court, which, presumably pays out the same to the authority that has incurred them. (*Vide* Section 14.)

14. There being such conflicting considerations to be borne in mind, it is difficult to accept unreservedly the Comptroller's view, though the latter may be sound financially. If his view is accepted, the rules will require modification, especially Rules 8 and 9. Instructions are requested.

15. The Rules of 1895 were proposed for adoption by the Chief Judge, who was also the Inspector-General of Prisons at the time.

16. In British India the Act in force is the Prisoners Act, No. III of 1900, which superseded the Prisoner's Testimony Act, 1869, upon which our Regulation is based.

K. S CHANDRASEKHARA AIYAR.
26-9-05.

17. The question is as to who should pay the charges of conveying prisoners from Jail to the Courts that summon them. In Criminal cases the charge is paid out of the contingency of the Court summoning. In Civil cases the party that summons pays. The Comptroller says that in Criminal cases the Police Department should bear the charge. It is all the same who pays (whether the Magistrate or the Police Department), as the money paid is Government money.

18. Submitted to the Dewan Saheb through the 1st and 2nd Councillors.

B. K. VENKATA VARADA IYENGAR.
27-9-05.

Dewan's marginal remarks :—But the Comptroller says it does not admit of direct audit.

19. This is a financial question involving a mere technicality. My own opinion is that the present rules and practice have not been shown to have caused any inconvenience and may be allowed to stand.

C. S.
30-9-05.

20. The practice followed here is not peculiar to Mysore alone, and has worked notwithstanding the technical objection. In my opinion no change in the existing rules is called for

C. M.
4-10-05.

21. I am in favor of adopting the Comptroller's and Assistant Secretary's suggestion, Place before Council Meeting.

P. N. K.
13-11-05.

22. To the Registrar for Council.

B. K. VENKATA VARADA IYENGAR.
15-11-05.

23. The Comptroller's suggestion may be adopted and the rules published under Notification No. 3826—J. 418, dated 17th September 1895, modified accordingly.

24. Necessary provision for such expenditure will accordingly be made in future budgets under "17 Police," and the contingent allotments of the Courts will be reduced correspondingly. But, for the rest of the current year, the Comptroller will, in consultation with District Magistrates and the Inspector-General of Police, make the necessary re-appropriation by giving additional money to the Police Department and making a corresponding deduction in the contingent allowances of Courts out of which such payments are at present made.

P. N. K.
Dewan of Mysore.

Submitted to His Highness.

25. The question raised in the accompanying papers is essentially one of audit. Under the existing rules and practice, the charges incurred by the Police for escorting prisoners to Criminal Courts for giving evidence are paid out of the contingencies of the Courts. The Comptroller proposed that the charges should be properly debited to the Police budget under the head "Way charges of escort." The Councillors were at first opposed to the suggested change on the ground that no practical inconvenience had resulted from the existing practice. In the Council meeting, however, a unanimous opinion was arrived at in favor of adopting the Comptroller's suggestion which is calculated to facilitate audit. The opinion of the Council may be approved.

P. N. K.
6-12-05.

Order.

26. Approved.

K. R. W.
His Highness the Maharaja of Mysore.
11-12-05.

27. Order accordingly.

P. N. K.
12-12-05.

4. To the Inspector-General of Police, Inspector-General of Prisons, Registrar, Chief Court, Comptroller and District Magistrates, G. P. No. J. 1755-66, dated 23rd December 1905.

Approves of the Comptroller's suggestion ; directs that the charges be debited to the Police budget, necessary provision therefor being made in the future budgets of that Department and proposes certain arrangements in regard to the said charge being met by the Police Department during the current year.

5. No. J. 1754, dated 23nd December 1905.

Notifies the modification of the rules for regulating the escort of prisoners to and from Courts in which their presence is required, etc., which were published under Notification No. 3826—J. 418, dated 17th September 1895.

Charges incurred in escorting a prisoner from the Bangalore Central Jail to the 1st Class Magistrate's Court at Closepet.

FILE NO. 36 of 1905-06.

Letter No. 1215—114 Enc. 4, dated Bangalore, 23rd August 1905, from F. E. C. Carr, Esq., Inspector-General of Police in Mysore, to B. K. Venkata Varada Iyengar, Esq., Secretary to the Government of His Highness the Maharaja of Mysore, General and Revenue Department.

Serial No. 1.

I have the honor to state that a bill for Rs. 4-0-9, being the cost incurred in escorting a prisoner from Bangalore Central Jail to the Court of the 1st Class Magistrate at Closepet was, in accordance with the order contained in para 9 of Government Proceedings No. 3826—J. 418, dated 17th September 1895, given to the Court by the Bangalore District Police. Though countersigned by the Chief Court, the bill has been objected to be audited by the Comptroller on the ground that the expenditure has to be charged to the head "Way charges of escorts" in the Police budget.

As such charges were hitherto being met from the contingencies of Judicial Courts, no provision has been made in the Police budget for the current year under the head referred to by the Comptroller.

Should the Government consider that expenditure of the kind referred to is to be met from the Police budget, I request that a provision of Rs. 600 may be made in the budget, which is yet pending before Government.

Copies of the marginally noted correspondence* are enclosed for information :—

No. 6426—1-971, dated 9th May 1905, from the Comptroller to the District Magistrate, Bangalore.
No. 6381—3570, dated 16th June 1905, from the Registrar of the Chief Court, to the District Magistrate, Bangalore.
No. 34, dated 11th July 1905, from the District Magistrate, Bangalore, to the Superintendent of Police, Bangalore.
No. 71, dated 21st July 1905, from the Superintendent of Police, to the Inspector-General of Police.

Letter No. J. 762—Pol. 36-2, dated 8th September 1905, Enc. 5, to the Comptroller to the Government of His Highness the Maharaja of Mysore.

Serial No. 2.

I am directed to forward herewith a copy of letter No. 1215—114, dated the 23rd August 1905, from the Inspector-General of Police in Mysore, and its enclosures, in original, regarding the debiting of the expenditure incurred in escorting prisoners to Criminal Courts to give evidence, etc., and to point out that under Rule 9 of the Rules under the Mysore Prisoner's Testimony Regulation, V of 1894, sanctioned in Government Notification No. 3826—J. 418, dated the 17th September 1895, such charges have to be defrayed by the Courts concerned which issue the processes. The Government have also in one or two cases directed that such charges should be debited to the contingencies of the Courts (*vide* Government Order No. 2667-68—C. 221-2, dated the 23rd March 1905).

2. I am to request therefore that you will be so good as to favor Government with a statement of your reasons, if any, for considering that the charges in question should be debited to the Police budget under a new head "Way charges of escorts."

[Enclosure 1 to Serial No. 2.]

Letter No. 71, dated 21st July 1905, from the Superintendent of Police, Bangalore District, to the Inspector-General of Police in Mysore.

In forwarding herewith in original the District Magistrate's letter No. J. 34, dated 11th July 1905, with its enclosures, I have the honor to state that no provision has been made in the budget allotment hitherto received, under the head "Way charges of escort" to meet the heavy charges constantly incurred in paying the prisoners and constables when escorting them from the Central Jail, Bangalore, to different Courts in the Province, and much inconvenience is felt on account of this.

Charges incurred in escorting a prisoner from the Bangalore Central Jail to the 1st Class Magistrate's Court at Closepet.

I therefore request that a sum of Rs. 600 may be kindly allotted to this district, under the head "Way charges of escort" under V. Supplies and Services, (3) District Police, or a reference made to Government to allot the said sum to the Jail authorities, so to facilitate the prompt despatch of prisoners under escort, to different Courts in the Province.

[Enclosure 2 to Serial No. 2.]

From Acting District Magistrate, Bangalore District, to the Superintendent of Police, Bangalore District, No. J. 34, dated 11th July 1905.

Has the honor to forward herewith for information and needful action, two bills as per margin and copies of dockets Nos. 6426—T. A. D. Gr. 1-971, dated 9th May 1905, and 6384—3570, dated 20th June 1905, from the Comptroller and the Registrar, Chief Court, respectively, instructing that such expenditure has to be debited to the head "Way charges of escorts" under V Supplies and Services, (3) District Police and that a reappropriation of funds to meet the said expenditure should be made in the Police Department.

"Bill for escorting prisoner Venkatachalam from Bangalore to Closepet Range Magistrate's Court, for February 1905 Rs. 4-0-9.

"Bill for escorting prisoner Venkata Reddi from Bangalore City to Kuppam by Civil and Military Station Police for February 1905. (received with memo No. (2803—C. 2351, dated 31st March 1905, from Government) Re. 0-11-0.

[Enclosure 3 to Serial No. 2.]

Docket No. 6426—T. A. D. Gr. 1-971, dated 9th May 1905, from the Comptroller, Mysore Government, to the District Magistrate, Bangalore District.

Has the honor to return the bill on account of cost of escorting certain prisoners from Central Jail to Closepet in February 1905 received with his docket No. J. 957, dated 10th April 1905, and to request that he will be so good as to obtain a reappropriation of funds for meeting the expenditure, which has to be debited to the head "Way charges of escorts" under V. Supplies and Services (3) District Police, on account of which no provision has been made in the budget.

[Enclosure 4 to Serial No. 2.]

Letter No. 6384—3570, dated Bangalore, 16—20th June 1905, from the Registrar of the Chief Court of Mysore, to the Ag. District Magistrate, Bangalore District.

His docket No. J. 1183, dated 14th instant

With reference to the above has the honor to state that the reappropriation referred to in above, should be made in the Police Department and not by this Court. The papers received with the above are herewith returned.

Letter No. 1423—277, dated Bangalore, 11th—13th September 1905, from Rai N. G. Basu Bahadur, M. A. Comptroller, Mysore Government, to B. K. Venkata Varada Iyengar, Esq., Secretary to the Government of Mysore, General and Revenue Depart

In reply to your letter No. J. 1625—Pol. 36-2, dated the 8th September 1905, Serial No. 3. I have the honour to say that the classification of expenditure in the accounts has closer reference to the department in which the expenditure occurs than to the object of the expenditure. In this case the expenditure is incurred in the Police Department and hence it should be adjusted as Police expenditure. Otherwise the directness of audit processes will be affected and it will be difficult to agree the accounts of disbursing officers with those of the account office.

Charges incurred in escorting a prisoner from the Bangalore Central Jail to the 1st Class Magistrate's Court at Closepet.

As far as I can see there is no object in requiring the Courts to *defray* expenditure already incurred in the Police Department ; all that is necessary is that the Courts should countersign and pass the bills as a measnre of administrative audit before they are finally admitted in my office. The defrayal of the expenditure should take place only once and that through the branch of the service that directly and immediately undertakes the work.

Order.—No. J. 1755-66, dated 23rd December 1905.

Serial No. 4.

On a careful consideration of all the circumstances, the Government are plased to approve of the Comptroller's suggestion which is calculated to facilitate audit and they accordingly direct that the charges incurred in escorting prisoners to and from criminal Courts for giving evidence be debited to the Police Budget under the head " Way charges of escort. " The necessary provision for such expenditure should be made in the future Budgets under XVII Police, and the contingent allotments of the Courts reduced accordingly.

As no such provision has been made in the current year's budget the Comptroller will in consultation with the District Magistrates and the Inspector-General of Police, make the necessary re-appropriation by allowing an additional grant to the Police Department and making a corresponding deduction in the contingent allowances of Courts out of which such payments are at present made.

A notification will be issued separately for introducing the necessary modification in the rules published under Government Notification No. 3826—J. 418, dated the 17th September 1895.

To—The Inspector-General of Police in Mysore.
The Comptroller to Government.
The Magistrates of Districts.
The Inspector-General of Prisons in Mysore.
The Registrar of the Chief Court of Mysore.

Notification No. J. 1754—Police. 36-5, dated 22nd December 1905.

Serial No. 5.

The Government of His Highness the Maharaja are pleased to direct that the rules framed under section 15 of the Mysore Prisoners' Testimony Regulation, V of 1894, for regulating the escort of prisoners to and from the Court in which their presence is required and fixing the amount to be allowed for the costs and charges of such escort, and promulgated with Government Notification No. 3826—J. 418, dated the 17th September 1895, be modified as follows :—

(1) In rule 8, insert the following in lieu of the last sentence :—

" The cost of dieting prisoners under this rule shall in cases falling under section 14 of the Regulation, be included in the bill of costs which the Superintendent or Assistant Superintendent of Police presents for payment to the Court issuing the process, and in other cases be borne by the Police Department, which shall present its voucher for the charges to the Court for countersignature.

(2) In rule 9, before the first word " it, " insert the words " In cases falling under section 14 of the Regulation. "

(3) To rule 9, add the following sentence :—

" In other cases, the cost of escort and of conveyance, if any, under rules 6 and 7, will be borne by the Police Department, which shall present its voucher for the charges of conveyance to the Court for countersignature. "